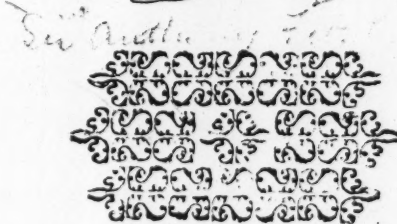


In this booke

is contayned the Offyces of Shy-
riffes, Bayliffes of lybertyes, Es-
cheatours, Constables, and Co-
roners; and shewed what euerie
one of them may doe by vertue of
their offices; Drawen out of bookes
of the common Lawe and
of the Statutes.

gabriel harvey . 1479



12
82
It claue in the last general pardon. 27.º Eliz.
Exempted al Fines, fines, & amerciaments, afferred,
taxed, sett, rectred, or returned severally, or parti-
cularly touching any one person, or two persons jointly,
or severally, about the Summ of six pounds.
Except also al Fines, fines, & amerciaments returned,
afferred, taxed, sett, or returned severally, or particularly
in any Court of Record at W.º Westminster, within
the first of the Michael the tenth last past.
Notwithstanding al other fines, as well pro lencia
concordia, as others, sett, taxed, rectred, or returned
before the said first of the Michael: also al fines, fines,
& amerciaments, as well reals as others, either within any Liberties,
or without, taxed or returned before the said first, with
privately extorted to the sum of 10.º & not above, whether
they be totted, or not totted, taken to the Sheriffs charge, or
not taken, rectred, or not rectred, or whether they be
turned into debt, or not; and not being found, or removed
by any Sheriff, Undersheriff, Bailiff, or other officer to
the Court of the said last day of this Session: shall
fully, truly & plainly pardoned & discharged, again



That the Office of a Shyriffe is
 hereafter shall more playne-
 ly appere, but in a generall-
 ty, his office is righteously, &
 duly to returne all writs and¹
 precepts to hym directed, and truly to ex-
 ecute the same accordinge as hee shall bee
 commaunded in the same Wryts and pre-
 cepts. And that hee take nothyng of any²
 person for doing his office, but the due, &
 accustomable fees to hym belonging. And
 that hee duly holde and keepe bys Coun-³
tyes, Courtes, and turnes, according to the
 due course of the Lawe. Upon these three
pointes dependeth the whole charge and
 effect of his office. +

The office of the Shyriffe is to returne
 good sufficient and reasonable issues, and
 vpon such persons as haue sufficient goods
 or lands, according to the statute of West-
 minster. An. ij. capitulo. xxxij. and Edward.
 di tertij capitulo quinto.

The Shyriffe ought to take the indite-
 ments soone before him in his turne by In-
 denture, and so shall Bayliffs of franchi-
 ses, one parte whereof shall remayne with
 the Indytours. An. secundo Edwardi ter-
 tij. Capitulo. 17.

The Shiriffe may arrest men ryding oz going armed, and commit them to pryson, there to remayne at the Kings pleasure. 2. Ed. 3. cap. 5. at Northampton.

Shiriffes and under Shiriffes shall receyue writtes in euery place within y^e county without taking ought, & shal make a bill, whych if they refuse other that bee present shal put to their seales. And if they retorne not the same writtes: they shal be punished and shall render damages to y^e party. 2. Ed. 3. cap. 5. at Northampton.

Shyryffes, and Baylours shall receyue Theeues incited, oz taken wth the maner without taking any thynge for the receypt. 4. Ed. 3. cap. 10.

Shyryffes shall lease theyr hundredes, & Mapentakes after the olde tearme, & not aboue. An. 4. Ed. 3. cap. 25. and An. 14. Ed. 3. cap. 8.

Shiriffs ought to arrest persons suspect of felony going by night, & by day, whych be of euill fame. 11. Ed. 3. cap. 14.

The Shiriff in one county shal haue no more Bayliffes errant but one. 14. Ed. 3. cap. 9.

Shyryffes ought to keepe their turnes euery yere within a moneth after Easter, and wthin a moneth after Mychaelmas,

iii. & xxxi. Edwardi tertij. cap. xliii.

Shyriffes that leue issues, fines and amer-
ciamentes in the County, ought to haue the
extreates ensealed with the seale of the Es-
chequer, so that as much as is payd may
bee blotted. And if any Shiriffe or Hyssher
doe the contrary, he shall render to the par-
ty treple damages, and shall make swe to
the King, and the sute herof may be aswell
before Iustices of peace as before other Ju-
stices. xxiiii. Edward. ter. cap. ix.

The Shyriffes shall aray the pannels of
Assises foure dayes before the sessions at the
least bypon payne of. xx. li. And Bayliffes of
liberties, shall make retorne to Shyriffes
sixe dayes before the sessions, bypon the same
payne. d. 3. cap. ix.

Thysshiriffe ought to crampe Lorde-
rers & Vagarantes, and compel them to
finde surety of theyr good behauior by suf-
ficient mainpryse of such as bee distreyua-
ble, if any defaulte bee found in such vaga-
rantes. And if they cannot finde such surety:
then to commaund them to the next Tayle,
there to remayne vntill the coming of the
Iustices of Tayle deliuery, they to doe with
such vagarants as they shal thinke best. vii.
Richard. ii. cap. vii.

The office

The Shiriffe shall bee bounden fourty
epines in the yere to make Proclamation
of the Statute of Wynechester, in every hū-
dredth of his Bayliwicke.

The Shiriffe ought to take swords, Dag-
gers and hangers, from Seruautes labou-
rers, and Seruaunts of craftes men, and
bitaplers that weare them, vnlesse it be in
time of Warre or when they labour in the
countrey with theyr maysters or vpon theyr
busines. And the Shiriffe shall keepe the same
weapons. which they shall present vnto the
Iudicers of the peace at their sessions with
the names of them that bare them. .ii. Ri-
chardi ii. cap. vi.

Shiriffes ought to receiue Labourers,
Seruaunts, Beggers and Vagabonds, and
them detaine in Wyson wythout bayle or
mainpysse and wythout fee or taking any
thing at their entre or going out of Pryso v-
pon payn to forsaye a C. li. to the King. xi. R.
ii cap. ix.

Shiriffes and other ministers of the
Kyng so soone as they haue knowledge of
assemblies and rotots, with outragios nūber
of people, ought with the power of the shyre
to goe and make resistance agaynst such
mallice wyth all theyr strength, and shall
attach suche misdoers and keepe them in

prison vntill the due punishment of the law
be executed vpon them. And all manner of
Lords, and other the kings true lyge me
ought to bee assistent wih all their power &
strēgth to ayde the Shiriffes and other mi-
nisters therein. 17. Ric. 2. cap. 8.

Shiriffes ought to be personallp dwel-
ling in their Bayliwicks for the tyme, and
they shall not let thē to farme 4. H. 4. ca. 5.

Shiriffes ought to see and proupe, that
neyther their vnder Shiriffes, Bayliffes
Clarkes, nor receyuers shal bee atturneys
in the Kinges Courts for the tyme of their
office. i. H. 5. cap 4.

Shiriffes ought to let to mainpryse per-
sons indited of heresy and lollardes which
are in their keeping within x. dayes vnder
good sureties, so that they appeare before
the end of the sayd. x. dayes. 2. Hen. 5. ca. 7.
Shiriffes shal cause the Statute of proue-
ours to bee proclaymed foure tymes in the
pere. vpon paine of C. li. for euerp time that
bee sayleth so to do. And vpon lyke payne
shall deliner the same to his successours to
be proclaymed. 7. Hen. 6. cap. 2.

Shiriffes muste make due election of the
Knights of the Parliament ix. H. 6. ca. 4.

A 4. Shiriffes

Sheriffes must retorne such persons, Knightes of the Parliament which be chosen by the greater number of the freeholders dwelling in the county which may expend xl.s. yerely aboue all charges.

And that those Knightes bee dwellinge within the same county. And that he examine euery freholder at such elections vppon a booke how much he may expend. And if any Sheriffe retorne other knightes: hee shall forsayte an hundred li. to the king and shall haue one yeares imprisonment without baile or maynpryse.

Sheriffes vpon a precept made vnto the by Iustices of the peace to inquire for forcible entre, shall retorne vppon euery of the inrouers. xx.s. in fyues at the first day.

And Iustices of the peace shall heare and determine such defaultes of Sheriffes by Bill of the suites of the party or by inditement.

And they shal loose xx. li. for euery defaulte. And hee y^e will sue shall haue the one halfe
13. Hen. 6. cap. 9.

To auoyd robberyes and spoyles vppon the riuer of Seuerne, & by y^e coastes of the Forrestes of Deane, & the hūdrads of Bloffom, & Westbury in the county of Gloucester, the Sheriffes of Gloucester or the Bayliffes

Bayliffes of the towne of Gloucester after notification made to any of them of such injuries and damages, by the parties grieved, within foure dayes after the notification made, shall make proclamation at the town of Gloucester that such offenders within .15. dayes after such proclamation, shall restore unto þ party endamaged their goods so taken, or the value with a reasonable amendes. The sayd Shiriffes & Batliffes to forsayte xx.li. if they sayle so to do. 9. Hen. 6, cap. 28.

The Shiriffe of Hereforde, neyther in his turne or in any other place after the turne ended, shall take any inquirye or inquest of office which ought not to be taken there.

Neither shall hee take any fyne or amercia ment for thinges not appertayning to his office or turne vppon payne to forsayte x.li. 1. Hen 6. cap 8.

Shiriffes ought to retorne in attaynt in plea of land, men of the perely value of xl.s or in an action of deedes concerning lands of such value, and in actions of the summe of forty pound. And mozeouer, those persons dwelling within their Bayliwicke, which may expende twenty poundes perely aboue all charges for terme of lyfe at the leaste,
out

out of auncient demeane Gauell kinde and
the 5 portes. And at the first distresse l.s. &
at the second v.li. And the double value of
euery other distresse agaynst the iuroors,
vpon payne of x. pound, to the King and as
much to the partye. And if there bee not
sufficient persons dwelling within the cou-
nty which may expede twenty pound, perely
then shall they impanell other persons of y
most sufficient possessions of perely value of
landes and tenementes, within the value of
twenty pound vpon payne to forsaite ten
pound to the king and to the party, as much
as the fourme afoze sayd, decimo quinto. W
6. cap. 5.

The Shyriffe or vnder Shyriffe of Berfords
must arrest such persons of Wales, or the
Marches therof which be outlawed of trea-
son of felony, whō the sayde Shyriffe kno-
weth or seeth to bee in any place within the
sayd county, and co byng to the Tayle. And
if any such person beynge indycted do dysobey
or flee away: the said Shyriffe shal leuy hue
and crye, and pursue him vpon payne to
make fyne and ransoms to the kinge. 23.
Hen. 6. cap. 5.

The Shyriffe shall not occupy his office
about

Of Shiriffes.

aboute one yeare, and if he so doe: then to for-
fayt. xx li. and every pardon for such offences
shalbe voyd, any words put in such Letters
Patents notwithstanding. Also he that pre-
sumeth to occupy the same office aboute one
yere by force of such letters patents, shall be
disabled to be Shiriffe in any other tyme af-
terward. xxiii. He vi. cap. viii.

No Shiriffe shall let to ferme his coun-
ty, nor any of his Bayliwicks. Hundreds
Wapentakes. No Shiriffe, Bayliffe of frā-
chyse, ne other officer shall returne in any
panell any of his Bayliffes, officers or their
Seruauntes.

No Shiriffe nor any other to any vse shal
take ought of any person to be arrested atta-
ched, nor to sucresse of any arrest or attachmēt
to be made to the body.

Nor shall take ought of any person arrested
or attached, for fine, fee, sure of prison, main-
pysse, letting to baile, or for shewing any fa-
uour or ease to any person being so arrested,
except it be as here followeth, that is to wit
to the Shiriff xx. d. to the Bayliffe that reade
the arrest. iiii. d. and to the Tylour if the
Prisoner be committed to ward, foure pēce.

The Shyriffe him selfe, nor any to his
vse

The office

ble shall not take any thinge for the makinge of any retorne or panel, but for the copping of the panel. *liiii. d.* How be it they be to take it. Millings for the retorne of a panell but that seemeth to be extortion.

Shiriffes not to let out of Prison al persons, beeing in theyr ward by force of any wytt, byll, or warraunt, in any action personall or indyement of Trespasse bypon a reasonable surety beeing sufficient in the County to keepe theyr dayes in the places, as the sayd Billes wyttres, or Warraunts requyre, except such as be condemned outlawed, excommunicated or for suretye of the peace, or by the commaundement of any Justice, and vagabounds which refuse to serue.

Also Shiriffes ought not to take any obligations for any thyngge aboue mencioned or by colour of theyr office. But onely to them selues, nor of any Person beeynge in theyr Ward but by the name of their office as by the name of s^r Shirife in the Obligatiō bypon condition that the party shall appeare at the Dayes contained in the Wyttres, in such places as the Billes Wyttres or warraunts requyre. And if any Obligation bee taken of any Person by colour of theyr

office in any other fourme, it shalbe voyde.

Sheriffes shal not take for any obligatiō warrant, or precept by them to be made any more then foure pence.

Sheriffes must make their deputyes petyly in the kings courttes, that is to wit in the chauncery, the bench, and the Eschequer of recoorde before they retorne any writte.

Sheriffes that do contrary to this ordinaunce in any poynt, shall loose to the party grieved triple damages, and shall forfeite xl. li. for every tyme that they shal so offend the one halfe to the Kinge. and the other to him that will sue. 23. Hen. 7. cap. x.

Sheriffes when writtes be directed vnto them to leaue the expences of Knightes of the Parliament, must make proclamation at the next county after the deliuerance of the same writtes, that the Coroners, Costables, and Bayliffes of Liberties shall be there to assesse their wages vppon payne of forty shillings. What tyme they shal assesse every hundred at a certeyne summe by it selfe, and after they shall assesse every village within the same hundred at a certayne summe by it selfe. and if they be otherwise assessed, for every default they shall forfeite twenty pounds, the one halfe wherof
shalbe

shalbe to the party that wyl sue. And the Shyriffe shall leup the same duely and shall pay it to the Knights of the Parliament, vpon payne of xx. pound. And the party that wil sue shall haue his action by Scire factas, and shall haue ten poundes abouze the twenty poundes wyth triple damages. xxiiij. Henrici sexti capitulo vicesimo secundo.

The Shyriffe alter the deliuey of any writ to make election for the Knyghtes of the Parliament, must make a sufficiente precept vnder hys Seale to euery Mayor, and Bayliffe of Cyties, and Boroughes, within the Countey, commaunding them to elect Citizens, and Burgeses, to come vnto the Parliament And the sayde Mayor and Bayliffe shall truely retorne the same precept to the Shyriffe by Adenture betwene them for the election, and names of them that are chosen. And the Shyriffe is bounden to make a good, and true retorne of euery such writ & of euery retorne made to him by the Mayor, and Bayliffes.

And for euery tyme that the Shyriffe shall doe contrary to thys or any other Estatute made for the elections of Shyriffes, to come vnto the Parliament, hee shall incur the paine of one C. pound to the king.

Of Shiriffes.

and a yerres imprisonment without bayle.

And moze ouer shall pay vnto the person so beynge chosen Knyght, Citizen or burgesse and not duely retorne: or to any other person whych in default of such Knyght, Burgesse or Citizen, wil sue therefore, one hundred pounde to be recovered by Action of debt.

And the Shiriffe ought to make such elections in the full County betwene the houses of viii. and nyne before none, and to make a good and true retorne of such elections, vpon payne to forsaite one hundred pound to the Kyng, and as much to the party that wyl sue therefore against the Shiriffes, their executors or administratours. xxiii. Henric vii. capitulo. xv.

Sheriffes in theyr turnes ought to enquire, heare and determine, if any Minister of the Mardeyne of the Courte in the Marches of Scotlande: or if any other arreste any person by his Bodye or Attach hym by his goodes out of the Counties of Northumberland, and Camberlande, and Westmerland, and the Towne of Newcastle, to answer in any of the sayd courttes: or else by Colour or cause of any process in the sayd courts: for in such arrestes it shall

shall be lawfull for euery man to make resistance. And the party grieved shall haue an Action of false imprisonment or trespassse and shall recouer triple damages therfore and the Defendaunt shall haue two yerres imprisonment. And the Shirisfe shal haue power to proceede thereuppon as well as vppon a presentment made in his turne. xxxi. Henrici sexti. Capit. ii.

Where as some men by dissimulation and other meanes sayne them selues to be louers to Women vnamaryed or Maydens or Wydowes, hauyng greate possessions and substance of goods, and get some Women into theyr possession, and conuey them into such places, from whence they wyl not suffer them to goe at their Liberty, except they will make to them Obygations of great summes to be payed vnto them, or cause them to be bounden in a Statute Marchant, or sometime will compell them to be maryed at their pleasure which if they refuse, to leuy vppon them the summes contained in the same obligations and Statutes: it is ordayned that the partie grieved shall haue a writt out of the Chauncery compysing the whole matter of theyr vnrasonable intreatyng, directed to the Shirisfe

Sheriffe commaundinge him to make pro-
clamation at the next county after the re-
ceipt of the writ that the offendour shal ap-
peare at a certayne day, & place, prefixed in
the writ befoze the Chaunceller or the Ju-
stices of assise of the County where such of-
fences shal hap to be done, or befoze some
other person assigned by the chaunceller.

And the Sherriffe to whom such a writte
shalbe directed, shal execute the same ac-
cording to the tenour thereof, vpon payne
of iii. l. the one halfe to the kyng, the o-
ther to him y will sue therfore by writ of
debt, wherein no wager of Law, protectiō
nor former plea (to cause the matter to be
tryed in another Countrey then where the
writ is brought) shalbe allowed. xxxi Hen-
rici quarti, capitulo quarto.

Upon euery Intiment, or Presente-
ment taken befoze Sherriffes or other mini-
sters in their turnes, or lawdayes. They
shall deliuer the same Indymentes, and
presentments to the Justices of the peace
at their next Sessions vpon payne of. x. li.
And the Justices of the peace shall awarde
Processe vpon the same aswell as if they
had bene taken befoze themselves and shal
arrayne those that be so indicted of felony, &

shall set fines vppon such as bee indyted of
trespasse, the extreates of which fines shall
bee enrolled by Indenture, and deliuered
vnto the same Sherriffes, or mynisters.

And if any Sherriffes, or their mynisters
arrest or attache any person by colour of a-
ny such inditement, or presentment in their
turnes, or lawedayes, or els take any fine,
or amercement before they haue procelle
from the Iustycers of the peace, or afore y
extreats out of the Indytementes shall bee
deliuered, they shall forsayte a C. l. the
moyty whereof shall be to the party suing
therefore by wyte of debt, in wyche no wa-
ger of law nor protection shalbe allowed.

Anno primo Edwardi. 4. cap. vltimo.

Vpon an information made to Iusticers
of peace, or other Iusticers agaynst any per-
son for retayning or geuing of limeries, or
agaynst any that is retayned or taketh ly-
uery, y Iusticers shall make procelle there,
as vpon a recovery of debt or trespass. And
if the Sherriffe in any suite graunted there-
vpon agaynst any person being sufficiente,
retourne any lesse Issues then xx. s. at the
first day of the distresse, and at the seconde
day xxx. s. & at the thyrde day xl. s. and so at
euery day after more by. x. s. in issues for e-
uery

very such returne hee shall forsayte. xx. s.
2. Edwardi. 4. cap. 2.

The olde Shyriffe shall haue power to
returne Writs, and execute bys offyce du-
ring the terme of S. Michaell, and Hilary
after the yeare of the sayd office expired un-
lesse he be lawfully discharged, thereof be-
fore. 15. Edwardi. 4. cap. II.

No shiriffe nor other officer shall lease,
or take the goods of any person beinge ar-
rested or imprysoned for Felony untill the
same person be duly couct or attaynted of
the same Felony by course of the common
lawes or except the same goods bee other-
wise lawfully forsayte, vpon payne to for-
saye the double value of the goods so take
to the party griued suing therefore by Ac-
tion of debt, wherein no wager of lawe es-
coyne nor protection shall be allowed i Ri-
chard. 3. capitulo. 3.

No bayliff or other officer in any panell
within any countie of this realme shall re-
turne any person to bee put in or vppon any
Inquiry, in the termes of shiriffes, but such
as be of good name & fame hauing freehold
to the perely value of. xx. s. or copyholde to
the perely value of. xxvi. s. viij. d. at the least
aboue al charges vpo pain to lese for euery
person

person not being sufficient, at every tyme
that they shall so offend. xl. s. and the Sh-
riff other. xl. s. wherof y one moietye shalbe
to the party suinge therefore by Action of
debt, in which suite no protection or ellopne
shalbe allowed. But wager of lawe is not
expresed. And for that cause is behooueth
to make information thereof to the Esche-
quer. primo. Richardi. iii. cap. iiii.

Shiriffes or other, hauing the custody
of Jayles shall certifie the names of every
prisoner being in theyr custody and of them
committed for felony, vnto the Justicers
at the next generall Jayle deliuey to bee
halendred, vpon paine to forsayte for every
tyme that they make defaulte in so doinge
a hundred shillinges. iii. W. 7. cap. 5.

Also the Shyriffe nor any other person in
his name or by his commandement shall
entre no playntes into their Bookes in no
mans name vnllesse the playntiffe bee there
in his proper person or els by sufficient at-
turney or Deputy that is knowne of good
name, & the playntiffe shall finde pledges,
persons y bee knowne in that Countie, to
pursue bys playnt, and the playntiffe shall
haue but one playnt for one trespasse or one
contract. And if the shiriffe or any other his
officers

officers cause to bee entered anye more playntes then the playntiffe supposeth that bee bath cause of Action agaynst the defendanc then the Shiriffe or hys Clarke that both cause to bee entered any such playntes contrary to this acte shal forsaite for euery default xl.s. the one halfe to him that wil sue, and proue the same matter by action of debt or information.

Also the Shiriffe shal make sufficient precepte after such playntes entered agaynst the defendanc directed to the Bayliffe of the hundred to attach or warne the defendante - o appeare and aunswere to the sayd playntes, and there be any defaulte in the sayd Bayliffe or the hundred in warninge or executing of their offices, then to forsaite, xl.s. shillings, and to be convict therof by examinations of the Iustices of the peace or any of them.

The same Shiriffes nor their deputies, shall make none estates to leuie the Shiriffes amercements til the two Iusticers of the peace, whereof one to bee of Quorum, haue the syghe of their Bookes, and the estates to be indented betwene the Iusticers of peace & the Shiriffe & under Shiriffe, sealed with their seales, the one part to re-

mayn with the sayde Iusticers, and the other part with the Shiriffe.

And those persons that shall be gatherers of the sayd amercliements shalbe swozne by the sayde Iusticers that they take no more money then is forsayd: and contained in the eestreates sealed with the seale of the Iusticers to the same, vppon the same payne of forsayture as is aboue rehearsed, the same gatherers to be conuict by examination of the same Iustices or one of them. And the same Iusticers of peace shall be appoynted at the sessions holden at Michelmas by him that is custos rotulorum, or in his absence by the eldest of the quorum to haue the controuement of the sayd Shiriffes, vnder Shiriffes, thye Clarke & other of the sayd officers, and of the sayd Shirifs amercliements. And the said Iusticers of peace vppon suggestion shal make Processe agaynst the Shiriffe, vnder Shiriffe, thye Clarke, or other officers to appeare before them to answer to such suggestion or information as is vled in action of trespass. An. secundo. H. 6. cap. 15.

And every Shiriffe shal cause to be taken all vagabondes, idle people and suspecte persons, and set them in the Stocks there

there to remayne at the first takinge by one day and one night, and at the second time to be in the Stockes by 3. dayes & 3. nightes with bre and water.

And if anye Sherriffe execute not these premisses of enerye vagabond, hermit or beger able to labour, or Clarkes, pilgrims, or shipmen, as often as anye such cometh in sight, or that he hath therfore any knowledge within the towne or place where he hath authoritey, that as oft as any such misdoer abydeeth there aboute the space of one day and one night and depart vnexamined & unpunished: for euery misdoer so departed the Sherriffe to loose thre shillings, and foure pence, and the Sherrif in his turne hath authoritey to enquire of all h defaults of Maiors, Bailiffs, high Constables, petty Constables and all other gouernours and officers of Cities, townes & villages with in their turne, & to haue 3 s. 4. d. for euery defaulte found in his turne. Au, 15. Hen. 7. cap 12.

Also euery Sherrife vpon a precept directed vnto him by the Iusticers of peace to returne a panell to enquire of any rogot or vnlawful assemble committed, shall returne xiiii. persons dwelling in the shire, euery

of them hauing xx.s. of freeholde or xxvi.s.
viii.d. of copphold or of both ouer all char-
ges & to retorne in issues euery person. xx.s.
at the first day, and at the second day. xl.s.
and if the default be in the Shiriffe for re-
turning of persons not being of that suffici-
ency or for no returning of Issues in forme
beforesayd, he to forsaite. xx li. An. xvi. Henrici
viii. capitulo. xv.

Also if any ropt or assemble of people be
made in any parte of this Realme agaynst
the law, the Justicers of the peace or two
of them of the least, and the Shiriffe or vn-
der Shiriffe may come with the power of
the County (if neede bee,) to arreste and
byngne them befoze the same Justicers of
the peace. And the Shiriffes or vnder Shi-
riffes haue power to recozde that, that the
shall finde in their ptesence done contra-
ry to the Lawe, and the offendour shall
be conuicte by such recozde. And if they be
departed befoze the comming of the said Ju-
sticers Shiriffe or vnder Shiriffe, then shall
the same Justices or two of them within one
moneth after such ropt enquire diligently
where they assemble was made. And if the
trueth cannot be found, then the same Just-
ices, or two of them and the Shiriff, or vn-
der

der Shiriſſe aboue ſaide, with in a Moneth
next following: ſhall certifie befoze the K.
and his counſaile the whole deede with all
the circumſtaunces thereof, which certifi-
cate ſhalbe as ſtronge to put the parties to
anſwere thereuppon as in an inditement
found by xi. men, 13. Hen. 4. cap. ultimo.

And if the ſayd ryot or unlawfull aſſem-
ble be not found by reaſon of any embzacery
or maintenaunce of the ſayd Jury, then the
ſayde Juſtices of peace, the Shiriſſes o-
uer and aboue ſuch Certificate, that they
muſt make according to the ſayde Statute
made. Anno xiii. Henrici. quarti, ſhal in the
ſame Certificate certifie the names of the
ſayde maintainers and embzours in that
behalfe (if any bee) with their miſdoemes-
nours that they know, upon paine of every
of the ſaid Juſtices and Shiriſſes, or vn-
der Shiriſſes x. li. if they haue no reaſonable
excuse for not certifying of the ſame, whych
certificate ſo made ſhal bee an inditement in
the law and every perſon duely proued to
be maintayner or embzour ſhal forfeit, x.
li. and to be committed to ward there to re-
mayne by diſcretion of the Juſtices. An xij.
Hen. vii cap. xiii.

Alſo that no Shiriſſe vppon wrytes and
preſentment

preceptes directed to him do retorne befoze
 Escheatours or commissioners any person
 to inquire of any landes or tenementes, ex-
 cept euery of the same Turp haue landes &
 tenementes of the pecely value of xl.s. aboue
 all charges in the same Shyre bypon paine
 of forfayture for euery person so returned a
 C.s. Anno. 3. Henrici octauī, capitulo secū-
 do.

Also all panels put in by the Shyriff be-
 fore any Iusticers of Tayle delinerte or be-
 fore Iusticers of peace (whereof one to bee
 of the Quorum) in their open Sessions to
 inquire, for the King shall bee reformed by
 putting to, and taking out of the name so im-
 panelled by discretion of the same Iusticers

And that the same Iusticers or Iusticer
 shall commaund euery Shyriffe and their
 ministers in their abscēs to put other per-
 sons in the same panell so reformed by the
 Iusticers to be good. And if any Shyriffe do
 not retorne the same panell so reformed,
 then euery Shyriffe so offending, for euery
 such offence shal forfayte xx. li. halfe to him
 that wil sue by actiō of debt, bill of cōplaine
 where such fall or be, and no wager of law
 essoyne, nor protection shalbe allowed.

Also bypon euery exigent (where wyttres
 of

of proclamation are to be awarded) þ̄ same
 wytte of proclamation to haue the same
 day of returne that the exigent hath, and
 to be deliuered of recorde, and the Shiriffe
 to make proclamation thre severall dayes
 in hys playne county, whereof one of the
 proclamations to bee made at the generall
 Sessions in those partes where the party is
 supposed to be dwelling, that hee peeld him
 selfe to the Shiriffe of the forrayne Shyre þ̄
 þ̄ Shirife may haue the bodye at the day of þ̄
 exigent, returnable to answer to þ̄ plaints
 & that the Shiriffe of the sayd County that
 hath such wyts of proclamation: duely ex-
 ecute the same, & therof make due returne
 at the day appoynted in the wytte, vpon
 payne to forsayte such amerclament as by
 the Iustices shalbe assessed.

Shiriffes, Bayliffes Constables and all
 other head officers and every of them, fin-
 dyng or knowing any person vsyng or exer-
 cising any vnlawfull game contrarie to the
 Statute, haue full power to commit eue-
 ry such offender to Ward there to remayne
 without bayle or maynpyse, til such time
 as they so offending be bound by obligatiō
 to the kinges vse in such summes of money
 as by discretiō of the sayd Shiriffs or other
 officers

officers shall bee thought reasonable þ they
from henceforth shall not vse any vnlawfull
game. 6. Hen. octa. capi secundo.

If any impotent person beg within anye
other place, then within such limittes, as
hee shall bee assigned, the Shyriffe and all
other the kinges officers shall by their dis-
cretion punish such persons by imprisonmēt
in the Stockes, by the space of two Dayes
and two Nightes, geainge them Breade
and Water onely, and after that, cause the
to be swozne to retorne againe to the place
where they be licensed to beg. Anno. 32 Hē.
8. capi. duodecimo.

The Justicers of peacē vppon infozmatio
oz presentment made against any township
for none executyng of this acte, shall make
proces by distresse against the inhabitautes
of the Towne, and thereby the Shyriffe shal
distrayne the goods of one oz two of the in-
habitautes of the Towne as he maye know
for negligēt in the Towne, and retaine the
distresse til they find surety to apeare at the
Sessions befoze the Justicer.

And vppon the retorne of the Shyriffe
of the distresse if the person appeare not, the
euery such person to loose xl. d. the first di-
stresse, & at the second distresse. vii. s. viii. d.

on hys defaulte, and so to bee doubled at e-
uery distresse tll appearaunce bee had.

Schyriffes that haue custodye of Castles shal
make scales to bee grauen wth the name
of the Castle that hee keepeth for to geue
and seale Writs to prysoners aquited, to
beg for their fees within þ hundreth where
he is deliuered by fyve weekes nexte after
hys deliuerie and then to goe to the Hun-
dred where hee last dwelled by thre yeare
or where he was bozne. The Sherriff shal not
suffer any such prysoner to beg for hys fees
nor to departe but to dooe seruice and la-
boure tll that hee deliuer such Letter and
the Clarke of the peace to make the byese
within one daye after the Sellyons vppon
payne of .xii. d. to the Kyng. An. 22 Henri.
8. capitulo. 12.

For distroyinge of Crows, Rooks, and
Choughes, it is ordayned that euery persō
hauing any Manours, landes, & tenemēts,
in theyr manurance, shal do as much as in
him is reasonable to kyl & destroye the same
Crows and Choughes, and Rookes bree-
ding or abiding vpon his Landes, or Tene-
mentes vpon payne of a grieuous amercia-
ment to bee set. And if the offence be with-
in the limittes of Lætes, or Courte barōs
then

then to be set by the Steward wyth two of the presentours by the Steward and presentours to bee named vpon the presentment found and presented, and to bee reasonably assessed after the quality of the offence. And the amerciamment to be to the Lord of þ law day, and if any person be Lord of such Mannours, or inhabyte there (wherevnto any such Laweday or Rape is belonging) then vpon a presentment had before the Shyriffe in his turne with two of the presentours to be cholen by the presentours shal ceasse the sayd amerciamment by their discretion to the vse of the Kyng, and leuyed by distresse. An. 24. H. 8. cap. 10.

And the Shyriffes in their turnes shall geue in charge to the tenants and Inhabytants appearing before them that they shall duely enquire and put in execution the effect of thys Acte.

Shiriffes shall holde their Courtes from moneth to moneth: and where greater time is wont to be, greater shal be. Magna Carta. cap. 33.

The King comaundeth that Shiriffes, and their officers which receiue hys debts shall acquite lawfully the debtours at the next accomptes after that they haue recea-

ued the debt, and then it shall be allowed at the Eschequer, so y it shall not come in the sommons after. And if the shiriff do otherwylz and be attaynted thereof, he shal render thre tymes so much as he hath receaued and shall make fine at the kings will.

And if another do it for whose bande hee is answerable at the Eschequer, hee shall render the triple thereof to the payntiffe & shall make fine in the same. And the shiriffe shall make sayles to all the that haue payd hym the Kings debts. Westminster primo Capitulo nono.

Concerning Shyppiffes and other which haue leuyed the Kings debt, & make sayles or other acquitaunce to the debtour, and discharge him not, it is agreed that when the shiriff is impleaded therfore in the Eschequer by the debter, if he come not at y distres, then shall another distres be awarded returnable at a certayn day wherein it shall be commaunded y proclamatiō be made in the full county, y the defendaut shall come in by a certayne day to acquite the debtour of the sūme, for which hee made hym y acquitaunce or sayle, at whych if hee come not in, & the wryt be returned and the proclamation certified, hee shalbe holden conuict
and

and the debt shall bee leuied of him, in lyke maner as debt recovered agaynst hym in the kinges court & damages shalbe awarded to the playntif accordyng to the discrea- tion of the Barons. 14. Ed. 2. In the Sta- tute of Attapntes in the last chap.

The Kinge commaundeth that all hys Shiriffes and Baylifes whych haue recea- ued hys deutes, of the somons of the Esche- quers which acquite not the debours vpon the next accompte shall be punysbed accor- dyng to the estatute made. Distresses of y^e Eschequer. Capitulo quinto.

It is ordayned that execution of Wypes whych come to the Shiriffe be made by the hundzedeys knowne and swozne and in the full County and not by others if it bee not for great scar rity of hundzedeys. For then it shalbe done by other persons conueniēt & swozne. The statute of Lincolne y^e last capi.

Shiriffes shall not be charged with the leauinge of any issues, nor shall leuye any befoze they come out of y^e Eschequer by the extreats there to be leuyed. And if percase any Shiriff retorne issues vpon any recog- nicoz pledg or manucaptoz by hym asselled, and returned into our court whych to the payment of the same Issues of Amercia- mentes

Of Shiriffes.

ments at the time of the retorne was insuf-
ficient, & same shyriffe shalbe charged there
wyth at the Elchequer, & shal make payles
to any person of all maner thynges by hym
receyued, and shall not retorne any where
the names of Banucaptors, Turours or
other, except it be according to the tenour
of y^e Wrytes to them dyrected, nor shall re-
turne the names of pledges of freemen a-
ny where vnles they haue manifestly con-
fessed themselves pledges. The statute of
fines. cap. 2.

No shyriff, Coroner, or other the kyngs
mynisters shall take no rewarde for doing
his offyce, and if he do, he shall pay the dou-
ble, and shalbe punished at the kynges will
but shall be payd of that which they take of
the kyng. West. i. cap. 26. (*barretour, fact. of us*).

Shiriffes shall not suffer any barretour
or mayntainers of matters within his coun-
ty, neyther stewards of great Lordes, other
(which bee not attorneyes to their Lordes
to do their suites) nor to sit vpon the iudge-
mentes of the County, nor to pronounce
them, except hee bee thereto required of all
the Suters & attorneys that shall be there
at the same iorney. And if he doe the con-
trary, the kyng shall take it greuously to
the

the Shirisfe, and the offendour. Westmin-
ster primo capitulo. 31.

It shalbe lawfull for every Shirisff, Jus-
ticer of peace, and Escheator to lease to y
Kinges vse all such goods and cattels that
such persons as come within thys Realme
(that be called Egyptians haue) & thereof
to make account to the Kyng in his Esche-
quer, & to retayne & keepe y moey thereof
to his owne vse, & account for the residue, &
to pay no fees for the accout nor for his dis-
charge thereof.

In these Statutes it appeareth what
thing the Shirisf ought to do by reason of his
office, and that hee ought not to take any
thinge for doing his offyce, but onely that
which is appoynted to him by the same Sta-
tute. And if hee do or take any thyng other
wise: it is extortion, which ought to be en-
quired vpon by the Justices of the peace, &
the Shirisfe shalbe punished therefore.

And if any Shirisfe doe any extortion to y
people, and bee duely attaynted thereof hee
shall straitely be punished therefore, at the
pleasure of the Kyng. Anno primo. H. 4.
capitulo. 9.

Schyriffes may, and are bound to enquire
of comon annoyances done to all maner of

the Kynge's Subiects, but not of assaultes made vpon any priuate person for that is but a particuler offence, by Martin. 4. Henrici sexti.

The Shiriffe must keepe his turne wythin a moneth after Easter, and wythin a moneth after the feast of S. Michael. And if he keepe it at any tyme after the moneth of the sayd feasts: it is voyde by the statute of An. 31. E. 3. cap. 19. And all inditeiments & presentmentes there taken after the same tyme be voyde.

Bloudshed shalbe enquired of in þe Shyriff's turne, because it is an article that is to be inquired of in a Leete. All Leetes be deriued & taken out of the Shyriffs turnes in so much that for defaulte of enquiry in leetes of things enquirable there, the same thinges there omitted ought to be inquired of in the turnes of Shyriffes. 8. E. 4.

And all the Iustices sayde that the Shyriffe in his turne hath auctoritey to inquire of all thinges that be trespasse, or felony by the cōmon law (except the death of a man) but of trespasse, or felony made by Statute the Shyriffe in his turne hath no power to enquire of M. 28. Edwardi. 3.

And if the Shyriffe in his turne inquire

The Offyce

of Misances, that shoulde bee inquired of in the Leete of an other & the same be sold, yet may bee not distrayne for the amercia-ment of such a presentment. For if he doe: he is trespassour. But if there were a default in the Lord of þ Leete that he would not inquire or finde þ same when he ought to haue inquired thereof, in thys case it seemeth that þ Shyriffe in hys turne may enquire of it in default of the Lord. D. xxviiij. C. 3. And if one haue a sayze or market by graunt or prescription, & keepe not his sayze, or market as he ought: the Shyriff ought to inquire thereof in his turne. 22 Hen. 6.

Upon presentment of Misance in the Shyriffes turne, the party shall bee amerced there by the Shyriffe, which may distrayne for the amerciaement. And if proppertare be presented there the Shyriffe may abate the same, and rechaunge it. D. 26. C. 3.

Also it appeareth by the booke of Bretton that vnto the turne of the Shyriffe ought to come all the freeholders of the hundred and other land tenants (Clarkes, men of Religion and Women onely excepted) where at the Shyriffe shal cause. 3. of the most sage and sufficient persons of the hundred to be sworn. And then shall all the residue bee

Of Shiriffes.

sworne by doings and by the townes, which shall make their presentment to the first pit. Jurours, vppon the article where with they shalbe charged. And it seemeth that the Shiriffe ought to holde his turne in euery hundred within the county.

VVhat thinges be enquireable SS
in the Shiriffes turne.

First they shal enquire if there be any misdoer in the hundred of whom any standeth in doubt of Lyfe or Lim, and what is his name.

Also they shal enquire of all mortall enemies to the King, & Queene, their children and counsellours, of counterfeiting & Kings seale or his money, of mansleas and murderers, burners of others corne or house feloniously, of Burglours of robbers, of theues, of outlawes, of those that haue abjured the Realme and come agayne, of Sorcerers and witches, of miscreances, heretikes, of traytours, and of popsoners, of cutters of purses, of Usurers, of vittailers buying and selling wittingly stolne flesh, of them that wittingly make whyle the Skinnes of Beasts stolne, of redoubours that wittingly buye stolen clothes, & selle them into an other fashion, of treasure hyd

in the ground, bues and cryes wrongfully
 or rightfully leuyed & not pursued, or wa-
 ters stopped straightened or turned, of
boundes pulled vp or wrongfullye chaun-
ged, of Malles, houses, Gates, marle pits
Ditches, or other disturbaunces made or
lettred vppon any common waye to the an-
noyance: or pety byrbours that sheare sheepz
 to haue the wolle, of such as take the boote,
 and of those that haue made a prisō of their
 owne house or bouthold, of pounce breach,
 of trespassours in parke & poudes, of takers
 of other mens Dowes, of the assise of bread
 and ale broken, of them that buy and sell by
 measure agaynst the assise, of chaunce me-
 dleyes, of confectours, of bloodshed, wat-
 ches vnkept, of the kinges high wayes not
 enlarged, of those y haue kept appeachers
 in any other prison the the kinges or any o-
 ther felon aboue a day and a night, of newe
libertes, customes or iurisdictiones usur-
 ped since the last turne, on water or on land,
 of wesses or wreckes of the sea, founde and
 kept away, of bypoges and caullies broken,
 and who ought to repaire them and of those
 that clayme fraunchises, or iudgements
 reall, and of all those of the age of twelue
 yeaeres gone out of the hundreden which be

Of Shiriffes.

not come into their turnde (except Clarkes, Knights, their Childzen and wiues which bee not in doings) of vagabondes by the countrey which are of no mans retinue, of whom there is an euill suspicion of lewde demeanour.

And when the towne haue geuen their verdicte to the first Jurours, then immediately shal the first Jurours goe and geue by their presentment, such as they will abyde by. And the presentment of felons they shal shew priuily. and the other openly. *Bretton. lib. 1. fol. 38.*

Nowe must wee inquite further if Bayliffes of libertyes and fraunchises, haue duly done their office, which reflecte in three pointes, which is, that they cruelly execute, the preceptes which be directed vnto them according to the tenours of the same; and that they make due answere and returne² to the Shiriffe of the same preceptes; and that he take nothing for doing his office but³ onely the fees to hym due, and appoynted by the course of the law. And what fees they shall take, and what thyng they ought to doe by reason of theyr office shal appeare more plainly here following.

The office of Bayliffes of
libertyes.

Vppon a pzecept made by the Shuriffe to a Bailiffe of libertye vppon a writte of distresse directed to y Shuriffe to distraine the defendant, oz the Jurours in any inquest the Bayliffe must returne good and sufficient issues vppon the defendaut, oz vpon the Jurours if they haue sufficient goodes oz landes wsthin hys Baylitweeke, and if he do not, the plainciffe in the action shal haue an auerment that hee might haue returned greater issues, if the defendaut make default oz the Jurours by the statute of 1. Ed. 3. ca. 5. And the Iusticers of t^e peace must inquire if the Bayliffes haue done theyr office in that poynt.

Also they must inquire if Bayliffes of libertyes which bee keepers of any Tayle enforce any of their prisoners to be appellers to the intent to haue a fine of the parties appealed for doubt of imprisonment, 1. Ed. 4. cap vii.

Bayliffes of lybertyes which take indite-
mentes in their turnes, oz other where
ought to take them by Indenture, whereof
the one part shal remayne with the Indi-
cours

teners, and the other with the Bailiffe. 2. Edwardi 3. Cap. 17.

None shalbe made Bayliffe of liberties except he haue sufficient landes in the place where he is minister, to make answer to the king and his people, 4. Ed. 3. cap. 9.

Bayliffes of libertyes which be Jailours and haue the keepinge of prisons oughte to receyue and safely keepe all theerues deliuered to them by the Constables of the townes being indited, taken with the maner or appealen of felony without taking ought. 4. Ed. 3. cap. 19.

Bayliffes of libertyes must receyue such persons as be arrested in their fraunthise by the Constables, for suspicion of felony that walke in the Country by night or be of evil name, and shall keepe them in Prison vntill the coming of the Iustices of Taile deliuey, & in the meane tyme the bayliffes must inquire of the. 5. E 3 cap. 14.

Bailiffes of libertyes, Constables & other officers of townes where loyterers and vagabonds resort, haue power to examine the diligently, & compell them to find surety by sufficient mainpernours being distreinable of their good behaupour.

And if any default be founden in the same loyterers

The Office

fopterers and bagabonds, and cannot finde suerty, they shalbe sent to the next Taile, there to remayne vntil the comminge of the Iusticers of Taile deliuerpe, which may do with them, as they shall thinke best by the course of the law. 7. R. 2. cap. 5.

No seruaunt or labourer at the ende of his terme shall depart out of the hundred or Rape where hee is dwellinge to dwell any other where, vnlesse hee byng a letter present contayning the cause of his going vnder the kinges seate thereto assigned. And if any seruant labourer be found vagarane without such letter, hee shalbe taken forth by the Shyriks, Batozs, Bailifes, or other officers: and put in stoekes till hee fynde suerty of retorne to the towne to serue, from whence he came, vntil he haue such a letter to depart for cause reasonable. 12 R. 2. ca. 3. bailifs of libertyes haue power to arrest seruantes & labourers y wear daggers swoydes & knyfes: and them to sease and keepe vntill the sessions of the peace and the weapons to present to y Iustices there with the names of them that bare them, and the weapons shalbe forsaite, except they bee traualing in the countrey with their master, or they? landes or busynesse. 12. R. 2. cap. 6.

Of Shiriffes. *Sailifs.*

Sbyriffes & Bayliffes of libertyes in theyr libertyes are bound to receiue seruauntes and labourers begging and vagarant, and them to detayne in Prison without baile, without taking any fee or other thing of them at theyr entring or departing by them selues or by their deputies vppon paine of a C.s. to the king xii. R. ii. cap. 9.

Bayliffes of libertyes to whom the keeping of the assyse of bzeade and ale, and the correction of the same belongeth, shall take no amerciament nor fyne for no default touching the sayd assise for which the offendour ought by the lawe to haue corporall penance, but they shall iudge them to the same penance. And Baylifes of liberties and all other that haue the keepinge and ouersyght of vittailes shall put in due execution the statute made in the 23. yere of Ed the. 3. which beginneth, quia maior pars populi. &c. 13. R. 2. cap 8.

Butchers, Fishers, Hostlers, Bruers, Bakers, Butlers, and all other sellers of vittailes, are bounden to sell such maner of Vittailles at a reasonable price hauing regard to the price wherat such vittails are solde in other places neare so that they may haue a competent gain and not exces-

excessive according as by the distance of the places from whence the vittailles are carted they shall thinke reasonably to be required. And if any sell vittailles in any other maner and thereof be convicted: he shall pay the double of that he hath received to the party indamaged, or in his default to any other that will sue therfore. And maiors and Bailiffes of townes &c. have power to enquire of all such as offend agaynst this ordinaunce in any point, and in case that the same Maiors, and Bailiffes be negligent in doyng execution of the premisses and thereupon bee convicted by the Iusticers assygned by vs, they shalbe compelled by the same Iusticers to restore the triple value of the thing solde to the party greued, or to any other that in his defalt wil sue, and neuerthelesse shal be greuously punished against vs. 24. Co. 3. capi 6.

No Steward, Bayliffe, nor other minister of Lordes of fraunchise which haue reuerne of writtes shalbe attorney to any person in any matter within the same fraunchise or Bayliwicke where hee is officer at any maner tyme 4. D. 4. cap xix.

If any baynous riot be made, the Iusticers of the peace, & the Shirisfe or vnder-

of Shiriffes.

Schyriffe ought to do their office according to the statute made. 13. H. 4. And if they doe not, at the suite of the party grieved a cōmission shall goe forth to inquire thereof and of the default of y^e Justicers & the Schiriffe, and y^e Coroner shall serue the proccesse and he must retorne persons y^e haue Lande to the yereley baiue of x. li. and shall retorne also. xx. s. in Issues at the first day and. xl. s. at the seconde, and at the thurde a C. Willings, and so double it at every day after. And if default be in the Coroner in returning the Issues of persons of such lande hee shall lese. xl. pounde. And if the olde Schiriff be discharged, the new Schiriff shall serue the proccesse, and not the Coroner vpon payne of xl. li. if the default be found in him, touching the retorne of other persons by him impanelled wherby haue not landes to the yereley value of. x. li. or to retorne such Issues as the Coroners bee charged with. And Bayliffs of libertyes are bound for to impanel sufficient persons, as aboue is sayd vpon payne to lese. xl. l. in case that such persons may be found within his bayliwicke. 2. Hen. 5. Capitulo. 8.

Bayliffs of fraunchises ought to make their retournes and assisers vnto y^e Schiriffe

Upon hys precept made vnto them in a speciall wytt of assise. 6. dayes before the daye of the sessions vppon payne to forsaite. xl. li. for euery tyme that they shall doe the contrary. vi. Hen. 6. cap. 2.

Where a Precept is made to the Shyriffe by Iusticers of the peace, to retorne a panell to inquire of forcible entre, and hee sendeth his precept to the bayliff of y^e liberty to retorne the p^anell because y^e t^o was done within the Liberty, nowe is the Bayliff bounden to make due retorne and execution of the Precepts to hym directed vpon payne of. xx. l^s. for euery default. And the Statute wyl that the Shyriffe shall retorne xx. s. in issues v^o every Turour at the first day, & that euery Turour whych shall passe in h^a inquiry shall spend. xl. s. yearly where by it seemeth that bayliffs of liberties are bounden to doe lykewyse, if so many of the sayd Turours be within hys liberty for els he is not. 8. Hen. 6. cap. 9.

Bayliffs of liberties in attayntes vppon plea of land of the yearly value of. xl. s. or more not in attayntes for beestes concerninge lands of like value, nor in attayntes vppon personal actions wherein the recovery extendeth vnto. xl. l^s. or more shall not retorne,

or impanell any person in such inquests but those that be dwelling wythin bys Baylywicke, and that haue Estate to theyr owne hse in landes or tenemēts for terme of Lyfe to the yerely value of xx. l. or more, within his Baylywick out of sufficient demesne, & the five portes. And at the first day of h^e distresse returned shall retourne no lesse issue in such actions of attaynte then. xl. s. and h^e second distresse. C. s. and the double of euery other distresse vpon the persons so impanelled and returned. And if he doe the contrary he shall pay. x. li. to the Kinge and as much to the party. 15 Henric. 6. capitulo quinto.

Bailiffs and other the Kynges officers may arrest those Souldiers that come fro the Sea, & shew not letters Testimentalls from their captayns that they haue lycensed them. And they shal keepe them vntill they haue inquired whether that they had lycēce, or not, and if they haue no such Lyceance thē shal they be punished as felons. 23. H. 6. capit. 19.

No Bayliffe of a liberty vpon any precepte to him directed to retourne the panell of any inquest shall in the same retourne any bayliffes, officers or seruants to any Officers.

The Offyce.

ficer aboue sayde, noz shall take any thyng
by them selues, oz by other, of any perſon by
them arreſted oz attached to their owne ble
oz auayle noz it any other perſon for any
arrest oz attachmēt by h̄ body made by the
oz that is arreſted by vertue of their office
for fine, fee, ſuit of perſon, maynpriſe, let-
ting to bayle, of ſhewing of any caſe oz fa-
uour to any perſon ſo being arreſted for
their rewarde oz profit, but as is heere ly-
mitted, h̄ is to wit, for the Shiriſſe. xx. d. the
Bayliſſe h̄ maketh the arreſt. iiii. d. & to the
Baylour if the priſoner be cōmitted to hym
iiij. d. And no Bayliſſe of any Liberty, noz
Cozoner by him ſelfe noz by other, by co-
lour of his office ſhall take any thing for the
making of retorne, oz panell, & for the cōp-
y of a panell, but 4. d. And bayliſſes of liber-
ties ſhall let out of priſon all priſoners by
them arreſted, oz beinge in their keepinge
by force of any bill, writ, oz warrant in any
action perſonall, oz by force of any indite-
ment of treſpaſſe, vppon reaſonable ſurety
bauinge ſufficient wythin the Bayliwicke
where they bee let to bayle, to keepe their
daies in h̄ ſame places as h̄ ſame bill, writ,
oz warrant ſhall require, thoſe onely ex-
cepted, which be in warde vppon condem-

nation or bee excommunicate or outlawed or arrested, vpon suretye of the peace, and bagarantes that refuse to serue. And that the sayde Bayliffes shall not take any Obligation of any person nor by any person beyng in theyr Ward by course of the Lawe, for any the causes aboue rehearsed but in the name of their Office, and vppon, the condition that the same Persons shall appeare at the dayes contained in the sayde writtes Billes, or Warraūtes and in such places as they requyre. And if any Bayliffe take any Obligation in any other fourme, by colour of hys Office it shall be voyde, and that he shall take no more for the making of any such Obligation, Warraūte or precept by them to be made but.iii d. And if they doe contrary to this ordinaunce in any poynte for so doyng they shall render to the party grieved his damages treble, and shall forsaite for euery tyme that they do the contrary. xl. li. the one half whereof shal be to him that wil sue in any of the kings courtes therefore. .cc. xxiii. H. vi. cap. x.

Bayliffes of liberties ought not to seale the goods of any person arrested or imprisoned for felony before that they shall bee convicted or attaynted of the same Felony accor-

ving to the law or els that the same goodes
be other wise forfeited, vppon payn to forfeit
the double value of the goods so taken vnto
the parties endamaged suing therfore by
action of debt, wherein no wager of Law, es-
copne, nor protection shall in any wise be al-
lowed to the defendaunt. i. Richardi ii. cap.
tu'o.iii.

Bayliffes of Liberties that be Jailers &
haue the keeping of Jales shall certifie the
names of euery prisoner in his Jale that is
there for felony at the next generall Jale
deliuey in euery County or franchyse
where such Jale is to bee kalendred before
the Iusticers of the same Jale deliue-
ry, vppon pain to forfeit for euery default
there recorded. v.l.iii. Hen viii. cap. iiii.

All Bayliffes and other head officers and
euery of them findyng or knowyng any per-
son vsing or exercising any vnlawful games
contrary to the statutes haue power to com-
mit euery such offender to ward and there to
remaine in prisō, without baile or mainprisē,
till such time as he be bound by obligation
in such summe as by discretion of hym that
taketh the bonde seemeth reasonable to the
kings vse that he shal play no more. An. vi. H
viii. cap. ii.

All Statutes made agaynst Shiriffes, vnder Shiriffes, Baylifs or other Ministers for making & returnyng of pannels or Iuries or for due execution of seruing of Writs or other processe, or for takyng of fees or for the reformation of extortions, or for any other thinge concernyng their office and all paynes contayned in every such Statute shal be extended to all Sherwards, bayliffes & other ministers and officers of Liberties and franchises hauing retorne of writs and execution thereof in like maner as they extend to Shiriffes, theyr vnder Shiriffes, bayliffes, or other ministers, saving that the bayliffes and officers of liberties may occupy their offices for as longe time as they shal be geue vn to them An. xxvii. Henrici octavi capitulo. xxi.

The office of Escheators.

YE shall inquire of Escheators, if they haue duely executed theyr Office and if they haue taken any more for doing thereof then they ought or if they haue committed & done any extortion or oppressiō vnto y^e kings people by colour of their office.

And therefore yee shall vnderstand that

no Escheatoz oughte to meddle oz inquyre
 for the Kyng, but in case where the Kyng
 of right ought to bee intituled and haue the
 Land oz thinge that is found for him by the
 inquest, for if one hold of the Kyng as of hys
 Duchy of Lancastier by knights seruice and
 dye, his heyre being wpythin age, the Kyng
 to haue the ward of the heyre and the Land.
 And yet in case that if the Escheatoz finde
 it by Office hee shall haue nothyng for the
 findyng thereof, because the Tenaunt helde
 not of the Kyng in chief as of his Crowne.
 And therefore the King may enter and seale
 the Land and the Heyre wpythout office and
 may graunt it. In like manner if the Esche-
 toz finde by Office that one died sealed and
 helde of other Lordes and not of the Kyng
 by Knights seruice and that he is deade and
 his heyre wpythin age, the Escheatoz shall
 demaunde nothyng of ryghte for findyng
 of such an Office. And so if he finde an office
 that one dyed sealed of such a manner in fee
 and helde of the Kyng as of such an honoz
 oz Castell by knights seruice, and his Heyre
 wpythin age yet oughte not the Escheatoz
 to haue any fee oz duety for the findyng of
 that office, and if he take any thyng there-
 fore it is extorcion which is well proued

by the writ of diem clausit extremum the wordes whereof bee these. Quia Georgius Per. qui de nobis tenuit in capite die quo obiit diem clausit extremum vt accepimus, ideo tibi precepimus. &. Whereby it appeareth if one hold e not of the Kynge in chiefe, the Escheator ought not to haue the fee of xl. s. for fynding of the Office. And if he take it in that behalfe it is extortion.

And in assise if the defendant say that the Landes are sealed into the Kings hands by the Escheator, and the Escheator being there present and examined by the Justices thereuppon doth confesse that he hath sealed the Lands into the kinges haundes where in deede he hath not so done: in this case the escheator doth wronge to the plaintiff whych may haue an action vpon his case agaynst the Escheator for his falshe, and for that delay that he hath sustained throught that confession by suing to the Kinge for a Procedendo.

None shalbe subescheator vnlesse hee haue sufficient land in those places where he is officer to aunswere to the king and his people in case that any will complaine against the. Anno quarto. Edwardi tertij. cap. ix. Anno. v. eiusdem. cap. liii.

The Escheatozs shall bee chosen euery
yere as the Shiriffes shall bee & by the same
persons that chose the Shiriffes.

And that no Escheatoz shall abyde in hys
office aboue one yere. An.xiiii. Edwardi ter-
tij capitulo.vlii.

The Escheatozs shall not doe wasse in
Bishopricks and other places during the
vacation of them , neither shall sell vnder
woods, nor chase in parke or warraunts nor
fish in Pondes, or free fishings, nor may take
no fines of any tenements free nor bound, but
shall cause them to be kept and saued with-
out doing damage or any manner of oppressio
An.xliiii. E.iii. cap liii.

So by this statute it appeareth that it
appertayneth to the office of an Escheatoz
to lease the temporalities of Archbishop-
ricks, Bishopricks, and Abayes of the
kings foundation, during the vacation of y
same, and take the profits and to accompte
for them to the kynge in the Eschequer how
be it there is an other statute made in the
same yere in the effecte whereof is, that if
the Deane and Chap. Prior or supprior wil
take temporalities to Farme, paying the
alue according to the remembraunces in the
Eschequer, that they shall haue them before
any

any other . And by an other statute made
the same yeare , cap. quinto , the Chaun-
celour, Treasurer of the Eschecker, taking
to them such other of the counsaile as they
shall thinke good, shall lease the vacations
of Archbishoppicks, Bishoppicks , Abbeis
Priories and other Houses of religion the
avoidance whereof belonge to the king the
Deane and Chap. Prior or Supprior, Pri-
orresse or Suppriorresse, Couent at a certaine
rent to pay by the yeare, quarter or Moneth
during the vacations , as they shall thynke
best, without makyng fine. And neither the
Escheatoz nor any other officer shall seeke
cause or matter to enter or to meddle, or do
any thynge in a prejudice of the Church.
Saving to the King and his heires, knights
fees, aduousons, Escheates, wardes, Maria-
ges, relieves and services to the said fees be-
longing, In witness whereof the kynge cau-
sed his letters Patentes to bee made, there-
of dated at West. the viii. day of Apryll. The
yeare aboue mencioned whereby it appereth
that the authority aforesayd to make Leases
was geuen to the Chaunceller & the Trea-
surer by the kings letters patents. &c. An-
no. rliii. E. iiii. cap. vi.

The escheatoz & other the kings ministers
D. iiii. must

must make accompte in the Exchequer after this manner that is of Lands and tenementes whereof profit ariseth from tyme to tyme, throughtout the yeare as of Millles, Harbages to pleases, profitess of courtes, or such other issues and profitess, they shal be bounden to answer the king for the rate & value of the tyme accordyng to the old course of the Exchequer. And touchyng auntyent fearmes and rentes that are to be payde at certayn tearmes as rent secke, and rent service, whereof no profit ariseth vntill the daye of payment, such rents and fearmes shal be paid vnto them that haue liuery thereof out of the Kings hand at the termes of payment of the said fearmes and rents next folowynge such liuery made, as wel for the tymes past as the time to come. xxviii. Ed. iii. cap. iiii.

The Kinge and his Progenitors haue bene seased at forsaiteurs of Warres, tyme out of mynde that is as well of Landes and possessions as of goodes and cattels. And by colour thereof the Excheators by their office haue seased many landes and tenementes, as forsaytes to the Kyng surmising treason in some persons beyng dead at the tyme of the seaser, whych neuer were attaynted in theyr liues, the Kyng hath ordeyned touching

ching such forfaytures that fell in the tyme of his Graüdfather and befoze that so soone as an inquest thereof shall be returned into the Chauncery by any Escheatoz or other that hath power to enquyre thereof the Tenaunt shall not bee put out of possession but shall bee warned by a Scire facias, to appeare at a certaine day for to answer vnto the same if he will, & if no such forfaiture be found the kinges hand shall bee closed so that in all other cases of forfaytures of treason by persons deceased nor attaynted, nor iudged in theyr Lyues their heires nor lañ Tenauntes shall not bee chalenged nor impeached of any other Forfaytures but of those onely that haue bene iudged in tyme paste afoze the death of certayne persons by presentment in Eire in the Kings Bench, as of felons of the king & other. And therefore it seemeth that if oue moue warre agaynst the King in his realme and is slayne in the same: then the Escheatoz may seale the lands & tenements as forfaitour of Warre with out any other inquiry to be made thereof.

Euery Escheatour muste take his inquestes of office of good and lawfull men, sufficient of inheritance and of good fame & of the same county where the inquiry shall
bee

be made. And the inquestes shalbe indented betwene the escheatozs and the iurours, & if it be otherwise done: they shal bee voyd, and they shal be taken in good townes openly. Trauerse may be taken to the escheatozs office, whereby any a'icnacion oz dying sealed oz that the heire is within age, and the land holden of the Kpng in chiefe is found.

Lands sealed into the kpngs Handes by reason of ward shal be kept without waste. And the escheatozs shal haue no fee of venison, fish, nor other thing, but shal answer the Kinge of the issues and yearly profits arising of the sayd lands without wast. And if he do otherwise, then to make fine at the Kings will, and to pay treble damages at the sute of the heyre, as well within age, as of full age.

And if he be within age bys Freendes shal haue the sute for him, answerpug to the heyre of that, that shal bee forecouered of him. Concerning other landes sealed into the Kpnges handes by inquest of office by the escheatozs this foresayd ordinaunce, and punishment shal holde place agaynst the escheatoz. And if any make claime to lands so beeing sealed: the Escheatoz shal re-
turne an inquest into the Chauncery with
in

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in one moneth after such lease, so that a writ be deliuered to him to certifie the cause of the lease, and there shall the party bee harde to traaverse the Office, or otherwise to shew his ryght. And the Chauncellour bypon his owne discretion (if hee see cause may lease the Lands to the Tenaunt paying to the king the value, if it belong to the king so that he findes surety, that he shall doe no waite until it be adiudged.

And the Escheators shall take theyr inquestes in good townes, and by honest Men openly by Adventur to be made betweene the Escheator and them of the inquest. And if he doe contrary to this ordinaunce: then to haue two yeares imprisonment, and further to make fine at the Kinges pleasure.

Anno. xxxvi. Co. iii. cap. xxi.

None shall bee Escheator if he haue not xx. li. Land at the least or more in fee and that they execute their office in proper persō. And if he be otherwise then to be put out, whereby it appeareth that the Subescheator can not inqurre nor send offyce. An. xli. Edwardi iii. capitulo b.

Escheators nor Commissioners, shal not take inquest, but by those that be impannelled and returned to the Shriffe, and if they

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nor other wyse and bee conuicte by examination or otherwyse at the sute of the party or of the Kinge or any other person that will sue, they shall incur the payne of .xl. li. the moitye to him at whose sute they shall be conuict. And that no landes sealed into the kings handes shal be let to farme by the Chauncellour, vntill the inqueste and verdicts bee returned into the Chauncery, and by one moneth after the same returne except it bee to the party griued which was put out of those lands by the inquestes and will offer to traaverse them, and shewe good euydence and finde sufficient suretie to sue his traaverse with effect, and to pay to the king the pearely value of the lands if it happen to be discussed for the kinge. And if any Letters patentes of any lands or tenements to the contrary be made to any other person then to him that offereth to traaverse, or bee let to farme within a moneth nexte to the sayd moneth of returne: they shal be void and holden for none, A viii. H. vi. cap. xix.

Escheatores, and Commissioners, shall returne the inquestes taken before them into the chauncery or in the Eschecker within one moneth next after the taking of the same vppon payne of .xx. l. the one moitye to the

the King, the other to him that will sue, An.
viii. Hen. vi. cap. xix.

And if any Escheator take any office be-
foze him and do not returne the same into the
Chauncery or the eschecker within the mo-
neth next after the taking thereof he shal in-
curre the pain of forty pound forfait by the sta-
tute made. Anno. viii. Henrici. vi. and further
shal be bounden to pay to the King as much
as he is indamaged by the not returnyng of
the same. And y^e the Chauncellour of Englan
callng to hym the Treasurer of England
may lease such Fees, for the due executi-
on of the sayd Statute. Neuer the lesse it ap-
peareth that the same statute giueth but xx.
pound of forfait against the Escheator or co-
missioner. Therefore search for the true re-
cord of both the statutes. An. xviii. Hen. vi. ca-
pitulo. vii.

Escheators must take their inqueste of
office by vertue of the writs of diem clausit
extremum, and other Writtes wythin one
moneth after the receipte of the same. And
that such inquestes be taken in good tow-
nes and open places. And that none of them
priuily nor openly by him selfe or by other,
take any tynge for the execution of such
writs

Wrytts in one county aboue the summe of vi.
s.viii.d. or xlii.s.iii.d. or under, wyth hys
labour and his costs so that the same that he
hath taken altogether excede not aboue xl.
s. for the execution of any such writ, in one
county. And if he do contrary to the premis-
ses the to forfeit the sume of xl.l. the moytie
to him that will sue for the kyng and hym-
self. An. xxiii. Hen. vi. cap. xvi.

None shall be Escheatoz if hee haue
not Landes or Tenementes to the value of. xx
Pounde wythin the Countye, for terme of
LIFE nor in the Countye where hee is Es-
cheatoz. Nor no Escheatoz shal let hys office
to searne nor make deputy other then hee
will at his perill answere for, whose name
he must certify by hys Letters patentes to
the Treasurer and Barons of the Eschequer
for the tyme being wythin. xx. dayes after
such deputation made, And that no such
deputy take vppon hym to occupie in the said
office vnlesse the Escheatoz haue Lands te-
nementes or Rentes to the perely value of
xx.l. as befoze is sayde. And if any Person
do contrary to the premisses or any of them
then to forfeyte for euery default. xl.li. the
one moytie to hym that will sue and the o-
ther to the vse of the Kyngs house by acti-

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on of debt, where no wager of law essoine or protection shal lye. 22. E. 4: cap ix.

No Sherriffe, Escheator nor other persō shall lease or take the goodes of any person arrested or imprisoned, for felony before the same person so arrested or imprisoned, bee conuicte or attaynted of the same felony, according to the law of England, or that the same goods shall be other wyse forfayted vpon payne to forfayte the double value of h goods taken to the party damaged, suinge therfoze by action of debt, where no wager of law, essoyne nor protection shal lye. An. 1. R. cap. 3

If any Escheator or commissioner put in to any of the kinges courtes any inquisition or office concerning landes or tenementes, or other hereditamentes not found nor presented by the oaches of 12. men, and indetted & by them sealed, then to forfayte for euerye such office returned and put vnto any of the kinges courtes on. C. li. to the party grieved A. iit. Hen vij. cap. ii.

No Escheator nor other Commissioner shall sit by vertue of any commission to inquire of landes and tenementes except hee haue landes or tenementes or hereditamētis to the perely value of fourty markes, ouer
all

The office

all charges vpon payne of xx. pound.

The Escheatozs, and Commissioners shall be discharged by theyz othes that they may not dispend xl. Marke ouer all Charges and that vpon proces made agaynst them out of the Eschecker. The Escheatozs, and Commissioners shal sit in opē places & shall suffer euery person to giue euidence openly in theyz p̄sence to the inquest taken befoze them vpon payne of .xx.l.

The Jury shal receiue the Counterpayne of the Indenture that shalbe presented, indented and sealed by the Escheatoz, Commissioners, and to rest in the possessiō of the first man that was sworne in the same Jury vpon payne of euery person that shal be sworne .xx. shillings.

And euery Escheatoz and Commissioner after the Jury is sworne, and ready to gyue theyz verdict, and offer to present the same by the same Escheatozs or Commissioners or part of them shal receiue the same verdict without further delay vpon payne of a £ li. & deliver the counterpayne of the same Indenture to the Jury in fourme befoze sayd vpon the same payne.

And if the Clarke of the pety Bagge, or his deputye will not receiue such Offices,

and put it into the Exyles to remayne of re-
cord wthin thre dayes after it be recea-
ued or offered to be receaved, he to forfayte
for every such default. xl. l^s. And y^e cōmissi-
oner & Elcheator to be discharged of the pe-
nalty of. xl. li. ly^mitted by the Statute for
none returning of the same offyces, or in-
quisition wthin one moneth.

The like lawe & penalty to bee agaynst
the officers in the kings Elchequer which
ought to receiue such inquisition, for refu-
sing so to receiue them. And the Commis-
sioners, and Elcheators to bee discharged of
the penalty for not returninge of the same
inquisition, so made by the sayde Elchea-
tors, or Commissioners at any tyme after
the moneth of such office, before thē founde
or before any of them wthin an other mo-
neth then next ensuing, returned the sayde
office into the Chaūcery, or Elchequer, as
the case shall require. And the clerk of the
Petty bag to certify the transcript of euery
such offyce taken before any commissioner,
or Elcheator, into the Elchequer the nexte
tear me following the receipt thereof, vpon
payne of a. C. s. for euery default.

And no man be compelled to occupy the
office of Elcheator by any patent ouer one
whole

The Offyce

whole yeare, & bee that is once Escheatoz shall not be Escheatoz agayne wythin. iij. yerres next after y^e sayd whole yere ended.

If any Escheatoz exercise his offyce by reason of any Patent ouer the tyme of one whole yeare ended, or bee made Escheatoz wythin. iij. yerres alter : then after the sayd whole yeare ended bys patent so made to be voyd & the party griened shall haue his recovery of euery of the sayd forfaytours of one. l. by action of debt, where no wagger of law, essoyne nor protection be allowed. There bee dyuers prouisions made for dyuers Escheatoz in Cities, & Boroughs and in diuers countiees.

And if the Lands, or tenementes of any man be seised in the kynges hande by vertue of any office founde before the Escheatoz or Comissioner, or by reason of any other recozde founde in the Chaucery or the Eschequer, & be y^e is so put out of his landes by reason of such recozde or offyce so founde come and traueise that Recozde, or Office and it is found for hym wherupon he hath his iudgement, that the Kyngs hands bee closed & amoued : nowe if so bee that there bee an other recozde, or office found remayning amongst the Kyngs recozdes, which

Of Escheators.

Is not trauesed nor tryed, yet shall not the Escheator lease the lands agayne into the kings handes by the reason of the recoorde being founde not trauesed. And if he doe: then both hee wronge and extortion, and the party that is put out shall haue assyse against him, and shall recouer double damages agaynst hym. But in this case the king must sue a Scire facias agaynst hym that hath the lands out of his handes vpon this other recoyd or office, that was not trauesed before. This is giuen by the Statute of Lincolne, called the statute of Escheators. Anno 20. Edwardi. 2.

And if the Escheator by colour of his office without warrant, or authority of the law that belongeth to his office, dissease any man of his Landes or tenementes, the party that is disseased shall haue an assyse of Nouel disseison, and shall recouer double damages agaynst the Escheator, Westminster. 1. capi. 26.

The Escheator hath no power to amerce any man that appeareth before hym, and misdoemeareth him selfe, or if the Jurours that bee summoned appeare before doe make default, he shall recoorde such things in his Role, and shall not amerce the Jurours,

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but hee shall sende the same recozde to the Iustycers in Cite, or to the Iustycers of assyse when they come into the countrey. It shalbe lawfull to the Shirisfe, Iusticer of peace, & Elcheatoys to seale to the kings vse all such Goods, and Cartels that such persons as come within this Realme, that bee called Egyptians haue, and thereof to make accompt to y^e king in his Elchequer, and to retayne and keepe the moity thereof to his owne vse, and accompt for y^e residue, and to paye no fees for the accompt nor for bys discharge thereof.

The Offyce of Constables.

FOr asmuch as the offyce of a Constable was an office at the common Lawe of long continuance, & was fitte ordainned for the cōseruation of the kinges peace to be had and kept in euery towne amonge the kings Subiects there dwelling, somewhat shal be spoken. And howe farre forth their power doth extend, and what penalties are prouided agaynst them, for not executing theyr Offyces.

Who were conseruatoours of the peace
at the common lawe.

It is now seene for the conseruation of the peace, what persons by the common lawe had authoritie therein, befoze the making of the Statutes whereby the Iusticers of the peace are ordayned.

And it seemeth that by the common lawe dyuers persons were conseruatours of the peace, for at the common law there was one persō which is called chiefe Justice of England, to whō the king comitted his authoritie in y^e ministratiō of iustice for things touching his crowne, & for the conseruation of hys peace among his subiectes throughout all his realme. And that is proued by the writt whiche the K. sendeth to him, y^e he should hold his place in the ministratiō of Justice to his subiectes in the forme aboue saide, throughout all his realme, wherby it doth appeare that the same chiefe Justice is high conseruator of the peace throughout all the countyes of England, and in euery parr of the Realme where he goeth. Also there be other persons conseruators of the peace throughout the Realme, as the Steward of England, the Barshall, and the Constable of England. Also the Constable of euery towne were and bee keepers of the peace by the common law: likewise the high Con

Tables of hundreds, wapentakes, lathes, or tithinges were and be conservatours of the peace by the common lawe within the townes or hundreds, and within their lymittes. And befoze the making of the Statutes whereby Justicers of the peace are ordained, the king by his commission made conservatours of the peace in those countiees & places (where hym thought best) to keepe his peace, and the authoritey which conservatours of the peace, had by the common law, is the same authoritey that a Constable of a towne or wapentake hath at this day, which I shall partly touch.

If one make assault vppon the Constable, the Constable may defend hym and maye take him, and commit him to the Gaile, untill he haue found surety to keepe the peace, though that the assaulte were made vppon him selfe. As it appeareth Richa. v. Henrici. vii. in the cytle Bar. Much more then if a Constable see one making assault vppon a straunge person, he may take hym and commit him to prison, or to the Gaile, untill he haue found surety to keepe the peace.

And if one man threate another where vpon hee that is threatened commeth to the Constable, and sheweth his matter, & prayeth him

eth hym to compell hym that so threated him to find surety: in this case the Constable and the party that is threated may goe and compell him that so did make such threatening to find surety to keepe the peace, and yf he wil not: they may commit him to ward vntill hee haue founde such suretye as you may see Mich. 44. Edward 3. in the tytle of Bar.

And if one be stricken in perill of death, it is the office of the Constable of the Towne to arrest the offender, and to keepe hym in prison vntill it be knowen whether the party so stricken shall liue or dye vntill that hee haue found suretie to appeare before the Iusticers of Tayle deliuery, or at such tyme as he shalbe called vppon to appeare before the Iusticers at their discretion.

And if one flee for felony it is the office of the Constable of the town to sease his goods and to keepe them, and if they hap to be im-
papped in his keeping, he shall answer for them to the King 2. E 3. in the Statute of Northampton, but by the statute made. 1. R 3. capit. 3. that is chaunged. And if felons or murderers be in the town, & the Constable haue knowledge thereof, it is bys office and duety to assemble people for to take the

And yf one take a felon in the Towne & byyng hym to the Constable to bee coueyed to the Tayle, the Constables office is to carry hym thither, and to cause other of the towne to ayde and assist hym in so doyng.

And note that the constables were ordained for two intentes, y is to wit, to keepe the peace, and also to repressse felons, to take surety by obligation of such persons as they shall fynde making of frayes.

It apperayneth to the office of the chiefe + Constable of England to haue consulace of deedes of armes any contractes touchinge deedes of armes & of war out of the realme and in lyke manner of thynges touchinge armes within the realme; which cannot bee determined by the common lawe, as it appeareth clearly by the Statute made the 13.yere of Ri.2.cap.2.

Also it appeareth by the Statute made anno primo.H.4.cap.13.that all appeales to to bee made of thinges done out of y realme of England shalbe tried and determined before the Constable & Marshall of England for the tyme byyng.

Also when battaile is iouened in a wyttie of ryght or in appeale, that shalbe derayned before the Constable & Marshall; how be it
the

the Iusticers must see the battayle done because h they be properly Judges thereof, & not the Constable nor the Marshall.

And the Constables haue manye other authorites as wel by the common law, as by statutes made, h which you may see there

Anno 7. Ed. 4. It is sayd the gardeners of the peace at the common lawe may inquire of congregations, & vnlawfull assemblies, and of disseyson with force, but not of entre with force. But now by the statute pf anpe entre with force, or do disseyson with force, or entre peaceably, and kepe possession with force; the Iustices of peate may make restitution to the party and put hym in possessib by thep; w^{ch} is directed to the Shiriffe, Constables in the townes where they beare office may arrest men y go or ride armed in fayres, or markettes, by day or by night and take their armour as forsaith to the kinge, imprison them at the Kings pleasure. An. 2. Ed. 3. at Northampton.

The Kinges puruepours ought to make thep; puruepaunce for the Kinges house, by the Constable, and 4 honest men of the townes, where such purueiaunce shall bee made without threating. And in presence of h Cōstable, caples shall be made & sealed with

with the scales of the takers, betweene the sayd takers & the parties of whō the goods be taken. And if any taker make his prise o-
therwyle: it shalbe done with him as with a theefe. An. 12 Ed. 3. cap. 1.

Constables of townes must arrest such as passe by night, of whom suspicion is had, and deliuer them to the Shiriffe, there to remayne in ward untill they bee duely deli-
uered. Also they must arrest such as be cal-
led robberdes men. wasters, and draw lac-
ches (if suspicion be had of any such) be it by
night or day, & deliuer them to the Shiriffe
until the coming of the Iudicers of Talle
deliuerp. 5 E. 3. cap. 13.

It is ordayned that none shall take for
threshing a quarter of wheat or cozne aboue
2. d. ob. & for a quarter of Barley, Beanes,
Peas & Dyes. 1. d. ob. if so much haue ben v-
sed to bee geuen, and in the countrey where
they vse to reape by the sheffe, and thresh by
the bushell, they shall take no more or other-
wyle. And that such labourers and other
seruauntes shall make an oth two tymes in
the yers before Lordes, Stewardes, Bay-
liffes and Constables of euery towne, to do
& keepe this ordinaunce, & that none of the
shal go out of y^e town wher they dwelled in
winter

winter for to serue in sommer (if hee can
 haue seruice in the same Towne) sauing to
 the folke of the countyes of Stafford, Dar-
 by, Lancaster, Crauen, and the marches of
 wales, theyr free libertie to labour in other
 countyes in the tyme of August. And
 they that refuse to make such othe, or to per-
 forme the thing that they haue sworn &
 taken vpon them shalbe put in the stocks,
 by the sayd Stewardes, Bayliffes, Cōsta-
 bles of townes by the space of three dayes,
 or more, and shalbe sent after to the next
 Tayle, & there to remayne until they wil be
 ordered, and yf there bee Stocks in anye
 towne for the same intente. And the Ste-
 wards, bailiffs, & Constables shal make oth
 before the iudicers assigned to enquire dili-
 gently of al the that offed against this ordi-
 nance & to certify their names before the
 same Iudices when they shal come into the
 countrey, to kepe their sessiōs; vpon which cer-
 tificate made, the same Iudices shall cause
 them to be attached by their bodies to ap-
 peare before the same Iudices to answer
 vnto such contempes; so that if they bee at-
 taintes: they shall make fine and raunsome
 and further to be commaunded to prison vn-
 till they haue found surety so serue in ma-
 ner

ner abovesayde. And the Iustices at euerye tyme that they shall come into the countrey shall inquire of Stewardes, Bayliffes and Constables, whether they haue made good and lawfull certificate, or haue concealed ought for any gyfte, procurement, or affinity, & shall punish them by fine and raunsome if they be found guilty. 25. Ed. 3. Capit. 2. and 8.

Constables of townes whereas saytours or vagabondes resort, haue power to examine them diligently, & cōpel them to finde surety of their good behaufour, by sufficient maypernoours discreinable in case that any default bee found in such septures and vagabondes. And if they can finde no such surety: then to be sent vnto the next Tayle, there to remayne vnto the coming of the Iustices of Tayles delivery, which haue authority to do with such saytors and vagabondes as they shall thinke best to bee done by the law. Anno 1. Ri. 2. cap. 5.

Constables of townes may arrest any Seruant labourer comming to the Towne from any place vagrant, vnlesse hee haue a letter contayning the cause of hys goynge & the time of his retorne, vnder the kinges
seale

of Constables.

seale that thereto shalbe assigned & deliuered to the custody of some honest man of the hundred, Wapentake, City, or Borough, according to the discretion of the Justices of peace. And y^e Constables may put hym in stocks, & keepe hym vntill he haue found surety to returne to his seruice, or to serue in the towne from whence he came vntill he haue a letter to departe vppon cause reasonable. An. 12. Ri. secundi. cap. 3.

Constables haue power to arrest Seruaunts, & labourers that beare about them Panger, Dagger, or knife, and to seale the sayd weapons as forfayt & them to keepe vntill the sessions of the Justices of peace before whom they shall present such weapons with the names of them y^e bare them, excepte that they trauell in the countrey in their masters message. 14. Ri. 2. cap. 6.

Sheriffs and other the kyngs mynisters may take the power of the countrey to reppelle assemblies and ryots in outrageous number, & to commit them to pryson. An. 17. Ri. 2. cap. 8. It seemeth by these words (the Kinges mynisters) that Constables of townes, haue power to do so by thys act as well as the Sheriffs.

Constables may arrest seruautes labourers

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ters, and imprison them by the space of five dayes, which vse not Bowes, and arrowes vpon Sondayes & such other festiual dayes, which will not leaue vrierly all playng at the Ball aswell with hand as with ffooce, and other games called corys, vice, casting of the stones, kettles, & all other like importunate games. xi. Hen. 4. cap. 4.

Constables and all the kings liege people that are able to trauaile win the country must be assisting, & apoynting to the Iusticers of peace; and the Sherriffe to reppresse great riots, and vnlawfull assemblies vpon payne of imprisonment, and to make fine & ransome. Anno secundo. Hen. 5. cap. 8.

Constables shall be made in euery parte of þ marches of Wales & market townes to inquire, searche and arrest such persons that carie victayle, or armour to any parte of Wales, wout the kings licence wherby Constables shall haue the 6. part of the forlayte for their trauayle. 4. H. 4. cap. 16.

Constables of port townes (where soul- diours that haue bene retayned in Wages to serue in warre beyond þ Sea or vpon the Sea, & depart from their Captaynes, and turne backe & arryue in any porte of Eng- lend wout licence of their Captayne vnder

of Constables.

hys seale, may arrest such souldiers & keepe them vntil inquiry be made of them: and if it may be proued by inquiry before Iustycers of the peace, and proues y^e they haue mustred of recozde, & departed from they^r captaine (as before is sayd) without licēce: then they to be punished as felons. Anno. 18 Hen. 6. cap. 19.

The Constables, Tythingmen, & chiefe pledges of euery towne, must assist & ayde the owners & sellers of any goods (where the kings purueours will make their puruepaunce, or bargayne of any goods to the value of. xl. s. or vnder) of any person and will not pay prest painēt in hand: in which case it shall be lawfull for euery one of the Kings lieges: to retayne them, and to resist such puruepours and not to suffer them to make any such puruepaunce. And if the Constable, tythingman, or chiefe pledge be required to ayde and assist any Man in making such resistance, and hee refuse it, hee shall pay to the party grieved the value of the thinge so taken, by action of debt, wyth the damages to the double. An. 20. Hen. 6. capitulo. 14.

Constables may arrest puruepours or buyers for any Lorde or other person (excepte

puruepaunce

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purueyours for the King & Queene) whych take any vitayle or cariage against the wyl of the owners, & to comit them to the next prison of the kings there to remayne wout bayle or maynprie vntill they haue deliuered al the sayd vittayles or carriages, and othet thinges so takē. And if the Constables do other wise when they be required: they shall forsayte twenty pound. The moety to be to the party from whom the goods were taken, to bee recovered by Action of debt, wherein the defendandt shall not wage bys lawe. An. 23. Hen. 6. cap. 13.

Clothiers shall pay to carders, spinners
* and other Labourers lawefull Money for their wages, & carders, fullers, and other labourers shall doe theiꝝ duety vpon paine of double damages. And the Constables of the hundred or Constable may heare and determyne the complaintes of every such clothier, and labourer, as well for no payment of the sayd wages of labourers, as of the sayde forsaytures and damages by due examination of the parties in that behalfe, and farther for none payment of the sayde duties, forsaytures and damages, to comit the trespassor to the next Tyle in the same county, vntill the sayd duties, forsaytures, &

Of Constables.

~~damages, to commit the trespassours to~~
~~the next Tapple in the same countie, until the~~
~~sayd duties forsaytures, and damages bee~~
~~duely payed unto the sayd labourers or clo-~~
~~thiers.~~ 4. Ed. 4. cap. 1.

Euery highe Constable or petty Constable shall take or cause to bee taken all vababounds, idle people and suspect persons liuing suspiciously & set them in the stocks and there to remayne by one day, and one night, and to haue none other sustenance but bread and water, and then to auoyd the towne where they were taken, into such place or hundred where they were bozne, or where they last dwelled by the space of. iiij. yeares. And if estsoones they bee taken in such default, then they to be set lykewise in the stocks by thre dayes and thre nightes wyth like dyet. xix. Hen. 7. cap. 12.

Constables and other head officers, and euery of them findinge, or knowinge any person vling or exercisinge any vnlawfull games, as Tennis play, bowles, clache, and all other vnlawfull games prohibited by many Statutes, shall haue full power to commit euery such offendour to ward there to remayne without bayle, or Maynepylse, till such tyme bee or they so offendinge bee

hounded

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bound by obligation to the Kynge's vse, in such sūme as by the discretion of the same officer shalbe thought reasonable that they from thence forth shall not vse any vnlawfull games. 6. Hen. 8. cap. 2.

¶ foz wages foz water men and foz theyz barges oz boates, oz foz a Barge from London to Graues end. iij. s. oz els euery person and his male. ij. d. From London to Eryth, Greenwich, Grasserock, oz Parsler. xij. d. oz els foz euery person, and bys fardle. i. d. so it passe not. viij. d. From London to Mulwich. xij. d. foz a boate oz wheery that is y^e tide boate, oz els foz euery person. ob. From London to Greenwhich. iij. d. oz els, oz. foz euery person and bys fardle. From London bydige, Saint Mary Dueries, oz Paules wharfe, to Westminster, iij. d. oz els euery person. ob. From the Blacke Friers, Bydewell, & the Temple, to Westminster, oz Lambeth. ij. d. with their males oz els euery person. ob. so that it amount to. ij. d. From Westminster to Lambeth oz stayngate. ob. foz a boate. From London to Portlake. xij. d. oz els euery person. ij. d. with bys male. And from those places about named, to London foz a boate oz barge like sūmes to be paid. And

these articles to bee kept vpon paine to for-
 sait treble the fare; and Bailiffes Consta-
 bles and other the Kings officers next ad-
 touching to the series vpon complaynt to the
 made or to any of them, by them that be grie-
 ued in that behalfe, may arrest them, and co-
 mit them to warde for theyr misdeemeanour
 & to make fine for the same. vi. li. viii. ca. vii.

By the statute made. An. xxi. Hen. viii.
 how impotent persons shall bee ordered to
 begge and haue their living. It is ordained
 that if any impotent Person auctoysed to
 begge do beg in any other place then with-
 in the limits to him assigned: then the con-
 stables and all other the kings officers shall
 by their discretion punish all such Persons
 by imprisonment in the stocks by the space
 of two dayes and ii. Nyghts, geuyng them
 but onely Breade and Water. And after
 that to cause euery such person to be swozne
 to retorne agayne wpythout delape, to the
 hundreth, Rape, City, Borough, Towne pa-
 rish or franchise wherein they be auctoysed
 to beg in.

And if any impotent Person bee vaga-
 rant, and goe a begging & haue no such let-
 ter vnder seale as is specified by this statute
 then the Constables and all other inhaby-

The Offyce

chauntes wythin such Townes or parish that
cause every such Begger to bee taken and
broughte to the next Justicer of peace or
high constable of the hundred. And thereup-
pon the sayd Justicers of peace or hygh
constable shall commaund the said Constables
and inhabitantes of the Towne or Parish,
which shall byng before hym any such beg-
ger that they shall stryp hym naked from
the middle byward, and cause hym to be whip-
ped wythin the Towne or where he was ta-
ken or where the same iusticers of peace or
hygh Constable shall appoynte. And if
not: then to commaund such begger to bee
set in the stocks in the same towne or parrysh
where he was take by the space of thre daies
and thre Nyghtes, to haue onely Breade
and Water and thereupon the sayd Justi-
cers or hygh Constable shall limite a place
to the same Begger to begge in. And to
give hym a Letter vnder seale in fourtine
before limytted & to sweare hym to repaire
thither immediately after his punishment ex-
ecuted.

And all other Persons beeing whole &
inighty in Body that doe begge, the Con-
stable of the hundred Rape, or Wapentake
wherin such Persons shall bee taken, and
the

he Justicers of peace or high Constable
before whom they shalbe brought by the
discretion shall cause them to be brought to
such places as they thinke convenient, and
there to be whipped naked through the
towne or market, and then to be sworne
to returne to the place where he was borne
or where he last dwelled by the space of 3.
yeres, and to haue a letter vnder the seale
witnessing that he hath bene punished,

Also all persons that abjure to sanctua-
ry within this realme shalbe coueyed ther-
vnto by the Constables of euery towne-
ship that is from Towne to Towne till that
hee come vnto that same Sanctuary wher
vnto he is abjured in lyke maner & fourme
as persons that had abjured this Realme
shoulde haue bene conueied to the next port
of the sea from that place where they be ab-
iured vnto the same port by course of the co-
mon law before the making of this Statute
22 H.8. cap. 13.

Euery farmer or owner of landes, tene-
mente or hereditamentes, wherof y^e yere-
ly value or rent amounteth to fift poun-
des, which manureth, the same shall pay to eu-
ery person, which by his diligence and la-
boure at hys owne costes taketh any olde

The office

Crowes, Rookes or Thoughs vpon the same Landes Tenements, or hereditamentes of the perely value aforesayd. ii. pence for euery xli. old Crowes, Rookes, or Thoughes and a penye for ~~the~~, and a halfe peny for. iii. olde Crowes, Rookes, or Thoughes. And any Farmer or owner refuse to pay the sayde money accordyng as is aforesayd, then vpon a complaynt and prooofe made thereof to any Iusticer of peace, or high Constable the same Iusticer, or by the Constable shall cause the same money to be leuied by distresse of the goods and cattels of euery such Farmer or occupper of the same lands and tenements. Anno rini Henrici. viii. cap. x.

Where it is ordayned by a Statute made in the vii. peare of Richard the Second. cap. ix. that he whiche espyeth and pro- ueth defaultes in any Clothes, put to sale contrary to the assise thereof, ordayned touchyng Clothes and contrary to the sayd statutes should haue the thyrde parce of euery such cloth beeing defectiue for hys Labour by the deliuey of the Shiriffes if they bee present or els of the Lordes of Fayres and Markets or of Stewards Bayliffes or Constables of townes, where such defectiue clothes

clothes shalbe found by Indēture betwene them to be made the which shalbe deliuered euery yere in the eschequer at the feast of S. Michæll by them that shal make such deliuerie, to the intēt to charge the Annagours⁺ and coisours, by whom such manner of defaultes ought to be searched and amended. An. 7. Ri. 2. cap. 9.

If any person, shippe, marchaundise of Staple, be in place suspect adloynning to the Costes of the Water, and maketh no Indentures thereof betweene him & the maior or Constable of the towne, they shalbe forsayte, and the king shal haue the moytpe. And it is lawful for euery person to searche in these causes. An. 14. Hen. 6 cap. 5.

It is ordayned that a Horseman shall pay for passage at Dover 3. s. and a footeman 6. d.. And the Constable of Dover to punish them that do contrarie at the suite of the party that will complayne and shall do him right in that bevalse. Anno. 4. Ed. 3 cap. viii.

The office of Coroners.

For to declare playnely the Offyce of a Coroner, it appeareth by the Statute of Magna carta in the xv. capi. that no Coroner ought to holde any pleas of þe Corone. But Bycton declareth þe offyce of a Coroner in forme following.

First that in euery county Coroners shall be the principall conseruatozs of the peace to beare record of al the pleas of the crown of abiurations, vtlagaries, & such like, and the Coroners shall make an othe befoze the Shiriffes in the full county, that they shall make their inquests, inrollementes, and all that to the coroners office apertaineth, lawfully or wpythout askinge allowance. And if any felony chaunce, or treasure be found or any Woman rauished, or Wyson broke, or any man wounded nigh unto death, the coroner so soone as hee shall knowe thereof shall send to the Shiriffes and Bayliffs of þe places where such aduenture shall happen to cause to come befoze hym, at a certayne day at the place where such chaunce befell, foure of the nexte towneships, and other if neede be by whom hee shall inquire the verity & shal compel the townships to sweare vpon the Saints to shew the truth of those articles þe shal demaunde of them. Then shall

Shall the Coroner and the Jurours viewe
 the body, the Woundes, and the strokes,
 and immediatly after such view had, the
 Body shall bee buried, And if the Coroner
 finde the body buried before the commynge
 hee shall recorde the same: neuerthelesse
 he shall not omit to digge vp the Body and
 make it to be viewed openly of the Townes.
 And those Jurours which have bene som-
 moned and come not to the inquries of co-
 roners shall bee amerced at the commynge
 of the Justicers at the first assises in those
 countres so that such defaultes be entred in
 Coroners rolle: so that the Coroner shall
 haue no power to amerce no man for any de-
 fault. And when the inquest is sworne, the
 Coroner musse inquire if the person were
 slayne by felony were done within a House
 or without, and all the circumstance. And
 after it shall be inquired who were present,
 at that deede and who be culpable of the said
force, commaundement, consent or receipte
of such felonies wittingly. And if the Coro-
 ner haue any suspicion of the first inqueste
for concealement of the truth or if it bee neede-
 ful to inquire better by other, then shal bee
 inquire diuers times & al such as therof shal
 pay-

happ to be indited the Shirisfe shal take in all the hast if they may be found, and if not the Coroner shal inquire who they be and who hath withholen theseloes for that occasiō and the Shirisfe shal forthwith cause their lands to be sealed, & afterwarde, all their goods, and cause them to be praised by lawfull inquest and the goodes with the prises shalbe inrolled in the Coroners rolle and shal bee deliuered to the township for to bee answerable therfore vnto the K. in case the party so indited flee, & wil not stā to right.

And after they shall inquire if hee that is indyted did euer fynde surety to keepe the kings peace & the names of hys mayntynours, which he shall enter into his rolle.

And if the playntiffe will sue a peale within the pere and the day, then shall hee fynde two sufficient pledges to the Shirisfe of h county discreinable within the same to sue his appeale according to the lawe of h land. And the shal the Coroner cause the appeale to be entered, with the names of the pledges and after it shalbe commaunded vnto the sergeant of the county where such felovv is done which as mee seemeth, is the Shirisfe or his bayliffe errant that he hath the bodye at the next county. And if the

Ser-

Of Coroners.

Shergeant returne at the second county that he cannot fynd them, then shall it be awarded that the pyncepsall beyng appealed of the deede shall be solempnely called to stād to right touching the same felony and so shall be called from countie to county vntill they come or bee outlawed, and if the plainciffe make default at any countie then shall the exigent passe vntill the comming of the Justicers of the Kynge's benche or the Justicers in Eyre in the county. And if the pyncepsall be outlawed the exigents shall goe forth immediately agaynst accessories. And when they shall be outlawed wythdrawen or suspected, the Coroner shall inqyre at whose finding such a fugitiue hath bene and accorpyng vnto the verdict hee shall inrolle it and then inqyre of the Landes and goods of the fugitiue. And if they appeare before outlawry they shall be repleutable, and if the felony were done out of a House: the Coroner shall inqyre who found the body first and he shall be taken and let go vnder sureties. And that no Turour be remoued by challenge of any party. Neither shall any Coroner take any thinge by him selfe or by other, nor suffer to bee taken by his Clarke for doing his office. And if it be found that any is deade by
misad-

misadventure then shall it bee inquired, what misadventure, as if it be found that he fell from a Hill, it shall be inquired what things were then moving there, and how much they bee worth, and so if he fell out of a carte, & if one fall out of a shippe nothing shall be iudged the cause of his death but the shippe and the things that mooue therein, & not the marchaundise lying therein.

And the Coroners ought to receiue the confession of felons made by proouers in in presence of y^e thiriffe who shall be his con-
roller in all his office, and such confession he shall cause to bee intolled; and when any person fleeeth to a Church so sone as the Co-
roner shall haue knowledge therof he shall send to the Bailiffe of the place, that he shall cause to come before hym by a certaine day the neighbours, & foure of the next town-
ships adioyning to the Church, and in their presence shall receiue the confession of the felon. And if the fugitive pray to abjure the
realme: the Coroner shall do that the which to his office belongeth.

Also he shall inquire of rape and all the circumstaunce, the appeales, whereof with all other Appeals of robbery, felony and such like hee shall cause to bee entered

in his rolle.

And they shall inquyre of treasure founde,
of wrekes of the Sea and of Sturgions &
of Whales taken, and who were takers,
whose names they shall inroll and let them
go by mainpylle. And such thynges as shall
happen to be founden they shal safely keepe
to the kyngs vse. And the Schiriffs & Bay-⁺
liffes shal be alwayes attendant vpon them,
and at theyr commaundements.

It is ordayned that throughout all the
Counties of England there be chosen suffi-
cient Coroners of the moste sage and law-
full Ruyghtes that may best to the same of-
fice intende whych lawfullye shall attache
and p̄sent peales of Corone as well of ap-
peales as of thynges to the same Office be-
longyng. And that no Coroner demaunde
or take any thyng for dayng his office, vpon
paine of a greuous forfaiture to the king
i. West. cap. xii. Put now by the Statute
made . Anno. i. Hen. viii. cap. i. the Coroner
shall haue xlii. s. iiii. d. of the goodes of the
murderer and if the murder bee committed
in the day time and the murderer escape the
coroner shall haue xlii. s. iiii. d. for the escape
vpon the townest ip, also it appeareth by a
Statute made in the xiii. yere of E. the fyrste
whych

whych is called the statute of Exceter, vnder what ~~ower~~ inquisition shal be made of the defaults of Coroners bee, they alpye, or dead; where he shal see the charge that shal be geueen to the inquestis y shal be charged to inquire of Coroners, in whych charge it appeareth further what the Coroner ought to do by his office; which charge heere insueth.

¶ The forme of the charge to inquire of the defaults of the Coroners according to the statute of Exceter.

First they shal inquire if the Coroner, go in proper person to doe his offyce or not, whereby it appeareth that he can not make a deputy.

2. Also if hee haue sente any other to doe his offyce what hee was, and howe often & about what aduentures.

3. Also if hee came at every tyme of hys owne good wyll without delay, or that hee or his Clarke haue taken any thing for the more speedy executing of their office. 4. Also if hee tary or delay to the intent to haue any rewarde after y hee hath knowledge of the truth, & after y he is sent vnto, how oftē, and in what place, and vnder what maner.

5. Also if the Goods of Felons taken by

Of Coroners.

him be deliuered to the townes to keepe by a lawfull inquest as they ought to be & inrolled in his recozde or not.

6. Also if the Coroner take any thing of any person for to take a false inquest for to destroy the right of any or to prayse y goods for lesse then they be worth.

7. Also if he enter any thing in his rolles otherwile than it was geuen by the inquest and what thing he or his clerke toke there fore & how often, and for what thinge hee, or his Clerke toke such things. 8. Also if he or his Clerke toke of the goods that were pypled, and pypled them at lesse, then they entred them in their rolles. 9. Also if y pyles were not assessed by the inquest.

10. Also if y township were falsely charged and of what thing. 11. Also if any appeales were falsely inrolled or imbeasled out of y rolles after that they were entered. 12. Also if he refuse to take any playnt of appeales for pouerty, hate or other lyke cause, & what hee toke for that occasion & of whom and how much. 13. Also if hee or his Clerke haue taken ought of the goods of the party that is dead vpon whose body he toke view what thinge it was and howe often hee so did. 14. Also if hee haue entered all the attachments

The Offyce.

attachments belonginge to hys offyce in due maner, or if he haue made any attachment for to grieue any person or to haue of hys owne, and enter it into his rolle. 15. Also if hee haue not done his offyce at all tymes at hys owne costes, wythout takynge oughte therfore. 16. Also if hee haue concealed ought in any Countrey or persured to be murdered to the grieuance of any person and if he so did than to inquire how often and for what rewarde, and for whom, and in what case he so did. 17. Also all the attachments, hanging, and lawfully receiuing be pursued by him as he ought to doe for the kynge or for the party, or cause to be pursued. 18. Also if the goods of such as haue fled the townes where they dwell for suspicion of felony, were attached by hym, and praysed by inquest, and inrolled accordinge therunto and deliuered vnto the townes where those goods were found to keepe safely vntill the comming of the Justicers in Fire. 19. Also if he suffer appeals or other plaints to hym made to be coueped away imbeasled, or caried out of the roiles, and if he take ought for such falshe, of whom, how much, and how many tymes.

Also

20. And if there were any treasure found in the tyme of the sayd Coroner in what, and what maner of treasure, and howe much, and in whose handes it resteth, & by whose deliuerance.

This is the whole charge that Iustices in Eyre must geue for inquiry of Coroners, & of their defaults. Furthermore Iusticers in Eyre may impanell other Inquestes of 24. persons of the body of the county to inquire of the concealement of h first inquest, whych shal inquire of the defaults of the Coroners.

When Coroners haue any knowledge from the Kings Bayliffes, or other honest men of the countrey for to go vnto such as be slayne, or sodenyly deade, or wounded, or breakers of houses, or to any place where treasure is sayd to be founde, they must goe forthwith, & commaund four, fyve, or six, of the next Towneships, that they be afore them at such a day & place, and when they shall come, the Coroner must make inquiry thereof in forme following.

First if the person were slayne in house, or in the field, in bed or at the Tauerne. &c. and who be guilty thereof, eyther of h deade or consent. &c. And if any be in h court which

were there, so þ they can speake oꝝ haue a-
ny discretion, and they that be found guilty
by inquest shall be taken and deliuered to þ
Shyffte. And such as were present, and be
not guilty shall be attached untill the com-
ming of the Justicers & their names shall
be written in the Coroners Rolle.

If any be sodapnely slayne in fields oꝝ in
Woods, it is first to bee seene whether he
were slayne there oꝝ not, and if he were not
slayne there, then as neere as they can they
shall followe the steps of hym that brought
the body thither with horse oꝝ carte, if it be
possible in case the murderer be knowen; if
he be a stranger; then shall they inquire
where he was lodged the night before: and
touching such as shalbe founden guilty the
Coroner shal go immediately to their hou-
ses and inquire what goods & Landes they
haue and how much they bee worthe by the
pere. But by the statute of King Rychar-
d the third it is ordayned that the lands and
goods of such persons shall not bee seased
untill they bee attaynted oꝝ otherwys con-
uict by course of the law. And these things
thus being inquired: the bodies shall bee
buried incontinent.

Whereouer they must inquire of such as
bee

bee drowned or deade sodaynely, and whether they were drowned, strangled, or slaine, and they must enquire who were the offenders, and they may bee attached, also they must vie to the length, breadth, and deepnes of all woundes, & must inquire wyth what weapons and in what place of the body: and if the wound be mortall: the offendour shall bee kept vntill it bee knownen whether the party may be whole. And if the wound be great then bee shall be let goe vnder foure, or sixe pleadges, & if it be but little then. 2. pleadges shall suffice. Also they must inquire of boxes, Cartes, and other thynges whereby any was slayne, that they may be praysed, and deliuered. *Et. s.*

Also they shall inquire of wrecks of the Sea, and if any lay band vpon it, he shall be attached by good pleadges, and the wreck shall bee prysed and deliuered to the next towneships. Further more Hue, and Cry shall bee leuyed vppon all Manslaughters, Burglaries, as when any is slaine or in perill of death if it may be. And all shall followe such hue and cry if they bee able, and they that doe not, shall bee attached to appeare before the Justicers. *&c.*

Also if any person flee vnto the Church

The Offyce.

oz other halowed place, for Murder, Felony oz such lyke offence, the Coroner vppon knowledge thereof shall come thither and take hys confession; and if hee will abiure the Realme, the Coroner shall receiue hys abiuration, which he shall say in this forme.

The fourme of abiuration.

HEare you this Syr Coroner, that I A. B. am a Theefe of one horse oz other like thing, oz a mansleue of one man oz mo, and a felon of our Soueraigne Lord kynge Henry the viij. And for asmuch as I haue committed many euill deedes, and felonyes in hys Realme, I heere abiure hys Lande for euer, and shall make as much hast as I ca to shunnen of. D. which you haue assygned mee and I shall not depart out of the high way, & if I do: I will & I be taken as a theefe and felon of the king. And further I shall diligently seeke my passage at the place aboue lymitted, & I shall not abyde there any longer then one Eb, & one Flond if I may haue passage. And if I can haue no Passage in so much space, I shall goe every day into the Sea, vnto my knees, and assay if I can get ouer. And if I cannot so do wythin xl. dayes continuing I shall

I shall peelo my selfe againe to the Church
as the kinges theefe and felon. So helpe me
God and hollydome.

Neuertheles it seemeth that when any
person shall abiure him, it becometh to shew
the place the day and yere, and in what coun-
ty he did the felony or murder; which con-
fession shall be as an indictment in effect; not-
withstanding if hee do it not, but onely as
before is expressed, it is good enough, be-
cause he is attayned before by his abiura-
tion. Now be it, this maner of abiuration
is put out of the statute of Henry the eigh-
made the xii yere of his reygne, whereby it
is ordayned that such as will abiure, shall
make their abiuration from all their liber-
ty unto some sanctuary within this realme,
there to remayne durynge their lyues, and
shall be burned in the ryght hand with this
letter A. And if such person afterwarde bee
taken out of Sanctuary, hee shall be ordered
in lyke maner as one that had bene abiured
the Realme before the said statute. And the
same person yf so taketh y church shall make
his abiuration, and shall take his passage
from thence at such a day and tyme as the
Coroner shall appoynt, and shall be marked
vppon the brylme of his thumb on the right

hand with a burning Iron, and shalbe
neyed to the Sainctuary, wherunto he is
abiured by the Maiors, Bayliffes and Con-
sables, in such fashion as they haue bene
which heretofore had abiured the realme.
And if any felo refuse to abjure befoze the
Coroner he shalbe taken out of the sanctua-
ry and shall loose the priuiledge thereof, &
that is by the Statute. 22.H. 8. cap 2.

Also it is ordayned that none shall be cho-
sen Coroner if he haue not lande sufficient
withín the same county for to answere all
persons. An 4. Ed. 3. cap. 2.

And it is further ordayned that all Coro-
ners shall bee chosen in the full County, by
the commons of the said county of the most
conuenient and able persons. Anno. 28. Ed.
3. cap 6.

The Coroner shall inquire vppon the view
of the body if he were slayne by day, if the
murderer bee taken. And if the murderer
escapes the township to bee amerced. And
the Coroner shall inquire of that escape,
when bee inquireth of the death vpon view
of the body. And Coroner shall haue for his
fee 13 s. 4. d. of the goods of the murderer

And if bee haue no goodes then to haue
hys fee of such amerciamente as shall bee
see

set vppon the towneſhip for the eſcape. And
after the murderer found: the Coroner ſhal
certify his inquisition afoze the Juſtices of
the next generall Tayle deliuerpe in that
ſame county. And if the Coroner be remiſſe
to make his inquisition vppon the viewe of
the body, and certify not according as is a-
foze ſayd: the the Coroner for every default
to forſayt one hundred .s. An. 3. H. 7. cap. 1.

It is ordayned that vppon request of the
Coroner, to come and inquire of anye per ſon
drowned or ſlayne by miſadventure: the Co-
roner ſhall diſtantly do his office without
taking any thing therefoze vppon payne of
every Coroner y wil not indeuour him to
do his office, or that taketh anye thinge for
doing his office vpon anye perſon dead by
miſadventure forty ſhillings. An. 1. Hen. 8.
cap. 7.

In caſe of mans death within the vierge
it ſhalbe commaunded to the Coroner of y
countrey that bee together with the Coro-
ner of the kinges houſe, do make the inqui-
ry and inroll it. And that which cannot
bee determined befoze the ſeward becauſe
the felons bee not attached or for other like
cauſe: ſhall remayne at the common lawe

so that the exigentes, belagarpes, and presentmentes therof to be made in Cire by the Coroner of the countrey, as of other felonies done out of the bierge. Articles vppon the Charters cap. 2.

No Coroner, Shirisfe, noz other officer, shall take ought for his office, & if he do, he shall restore twofold so much. West. 1. cap 20 But the statute of H. 7. giueth to the Coroner a marke for euery murder.

Also it was sayd by the Justicers. H. 6. R. 2. that the Coroner hath no power to inquire of a mans death, but onely vpon view of the body, and if he do, it is frustrate, and voyde. And if one Coroner inquire vppon the view of the body, and after another Coroner will come and inquire therof agayne the second inquiry is voyde, for the first inquiry is onely of recorde.

If one become a pproouer before the Coroner he shall not after ward be admitted to say that he did committe the acte by duress: of imprisonment: for the record of the Coroner shall estop him to pleade that.

If any will sue appeale of robbery of larcency, he must come into the full Countye within the yere and the day after the felony done, and must finde two pledges for to follow

follow bys suite, and the Coroner shal entre
bys impanell immediately in his roll, & the
names of the pleadges. And then shall it be
commanded to the Bayliffes of the place,
where &c. that he haue the body at the next
countey. And if hee retorne at the secōd cou-
ntey non est inuentus, then shall the appeale
be called from countey to countey, vntill he be
outlawed; and if the playntife make default
at any countey, then shall the exigent cease vn-
till the Eire of the Justicers in the same
countey, and the playntife shall loose his ac-
tion after appearaunce for ever; wherby it
appeareth that after the yere and day a man
shall not haue appeale of felony. And to this
poynt agreeth Britton in his first booke.

The Coroner must recorde bys view, ab-
iuration, appeals, and accusatiōs of theues
made befoze hym, and so must hee do of all
things that belōg vnto his office to be done,
and the non suites of plainifes in appeales
hee must recorde, with al things done in the
County which belong vnto his office.

Also yet shall note that appeals shall be
made in the court of any Lord y^e hath fraun-
chise of infangtheefe, in presence of the Co-
roner. &c.

A presentment was sent into the Kinges
bēch

bench by a Coroner comprysing how a cō-
tayne person taken for felony was conuei-
ed vnto the Church by certayne Fryers. &c.
And because the Coroner had no power to
take such an inditement a writ was directed
to the same Coroner to certify whether hee
had any other presentment or not. An. 27. E.
3. lib 20 assisarum.

An aduenture of the death of a man was
presented before the Iustices in Eire and be-
cause the same was not found, in the Co-
roners: rolle: the Coroner was awarded to
prison. The Coroners fee in Eire is to haue
l. d. of euery venue when they shall come.

Note that a presentment made before Ju-
stices in Eire of a thing which is contrary
to that that is entred in the Coroners rolle
shalbe taken void, & the Coroners roll shall
be taken for the record. +

The Coroner shall inquire of the death
of men slayne or drowned in the armes or
+ creekes of the Sea, where the land maye
bee seene of eyther syde. +

But now by the Statute made. An. 13.
R. 2. cap. 5. and confirmed. An. 2. He. 4 cap
+ + 11. the Admiral hath no iurisdiction but one-
ly vpon the high sea. Whereby it appea-
reth that the Coroner hath iurisdiction
there

there to Inquyre of mens death. +

A Coroner may take an appeale of felony made by an approuer in any Countye of England and so may he do of an abjuratiō in case that he confesse the felony to bee done in any other county. And the Coroner may abiure him as well vppon that as if the felony had bene done withīn the same County. But he cannot take any appeale of robbery or felony, vnlesse it bee withīn the same county where the robbery or felonye was committed, and where he is Coroner; for by the confession or appeachment he is attained, and so he is not in the other case.

One that becommeth a prouer, before Justicers, shall not haue a Coroner, excepte he will confesse the felony before them, and pray a Coroner. An. xxvi. Ed. iii.

And if one become a prouer, and appeale other of diuers felonies done in other counties, in this case the Coroner shall not make processe therevppon into any forrayne County, but hee shal enter it in hys rolle, and shall send the same presentment before the Justicers of Tayle deliuerp and the Justicers of Tayle deliuerp shall award proces to the Shiriffe of the forrayne county, for, to take him that is so appealed.

Thus

Thus ye must understand, that if any Shi-
riffes, Bayliffes, Escheators, Constables,
or Coroners take ought for doing their of-
fices otherwyle then to them is limited by
the statutes before declared: that then such
+ taking is extortion; which is punishable at
the kings pleasure, as appeareth before, &c.
In the statute made 1. h. 4. cap. 11. Where-
by it appeareth, that Shiriffes, and other
ministers; Bailiffs & their ministers; Esche-
ators and their ministers; Coroners and
their ministers, are bound to serue all pre-
+ ceptes to them directed from the Iustices
of peace, without taking ought of any party
And if a precept bee directed to the Shiriffe
or any other the kings officer, to compel a-
ny to appeare before the Iustices, to fynde
surety of peace, if the party agaynst whom
any such precepte is directed bee ready to
come before the said Iustices to fynde surety
of peace they shall take nothing of him.

And in like maner must they serue all pro-
+ cesses that come to them, directed out of the
Kinges bench, the common place, the Esche-
ker, or the Chaucery, without taking ought
therfore, but onely the fees expessed in the
statutes before written. And if they take
any other fees it is playne extortion.

A briefe declaration concerning the

+ extortions of Ordinaries; Parsons, +
Vicars and Curats,

As concerning Ordinaries, yee shall
vnderstand that it is ordayned by a
statute made in the xxi. yere of king
Henry þ eyght, that no Ordinary shal take *Probate*
any thinge for the probate of the testament *Try Fam*
of such a person, whose goods amounte not
aboue the summe of a hundred shillings, ex-
cept to the scribe. vj. d. onely. And of goods
aboue the value of a £. s. viro. xl. ponde,
iiij. s. vj. d. And the Scribe to haue. xij. d. of
the summe. And for the probate of a Testa-
ment of goods aboue the value of. xl. l. v. s.
whereof the Scribe to haue. ij. s. vj. d. or
for euery lyne beinge. 10. Inches in length
one peny. And such summes for Letters of
administration, where such persons die in-
testate, & the Testament to bee registered, & *Letters*
deliuered to the party wythout delay, and *Admini*
letters of administration to bee graunted
to the wyfe or next of the bloude of the par-
ty deccalled or to bothe: And for the probate
of a Testament, or letter of administration
of goods, vnder the summe of a hundred sh. s.
the Ordinary shall take nothing. Moreover
it is

The Offyce.

*Testator
to be
acid.*

It is the office of the Ordinary to deface the
seale of the testatour wherewith the testa-
ment was sealed (and to deliuer it agayne
to the party. And if the Ordinary take any
more then afoze is limitted, hee shall for-
saite so much as hee taketh, and ten pound
more besides that, whereof the moztie shall
bee to the party greued.

*tion, to
be in the
t. Court,
it may.*

If the Ordinary cite any person to ap-
peare in the Spirituall court to depose in
any matter there, as a witnesse: that is ex-
tortion and wronge to the party. / / /

tuary.

If any Ordinary; Person, or Vicar take
any mortuary after the death of any per-
son whych had not goods to the value of. x.
Markes, that is extortion. And lykewise it
is, where they take a mortuary in such pla-
ces where it hath not bene accustomed to
pay mortuaries. And euen so it is where
a Person, or Vicar taketh more then. iij. s.
iij. d. in the name of a mortuary. If y goods
amouit about. x. markes, and vnder the va-
lue of. xxx. li. for that is extortion.

Also if hee take more then. vi. s. viij. d. for
a mortuary where the goods bee about the
value of. xxx. li. and vnder the somme of. xl.
pound the debts payd, that is extortion.

And if they take of them whose goods a-

mount to, xl. li. above the debtes, payd more
then. x. s. for a mortuary: that is extortion.

And if they take any mortuary for a wo-
man maried, or one that is wythin age, or
for a man that keepeth no house, it is ex-
tortion. And if any mortuary bee taken in *Mortuaries*
in Wales Wales it is extortion, except Bishops that
shall take mortuaries thereof priests and
Curates; and the Archdeacon of Chester
shall take mortuaries of Priests within
the county of Chester.

And whosoever taketh for a Mortuarie
more then hee ought, shall forsayte as much
in value as hee taketh, and. xl. s. besides
that, the party grieved. Anno. xxi. Henrick.

octavi. capitulo sexto. And thus have

I thought sufficient to declare un-
to you concerning extortions

in Ordynaries; Par-

sons, Vicars, and

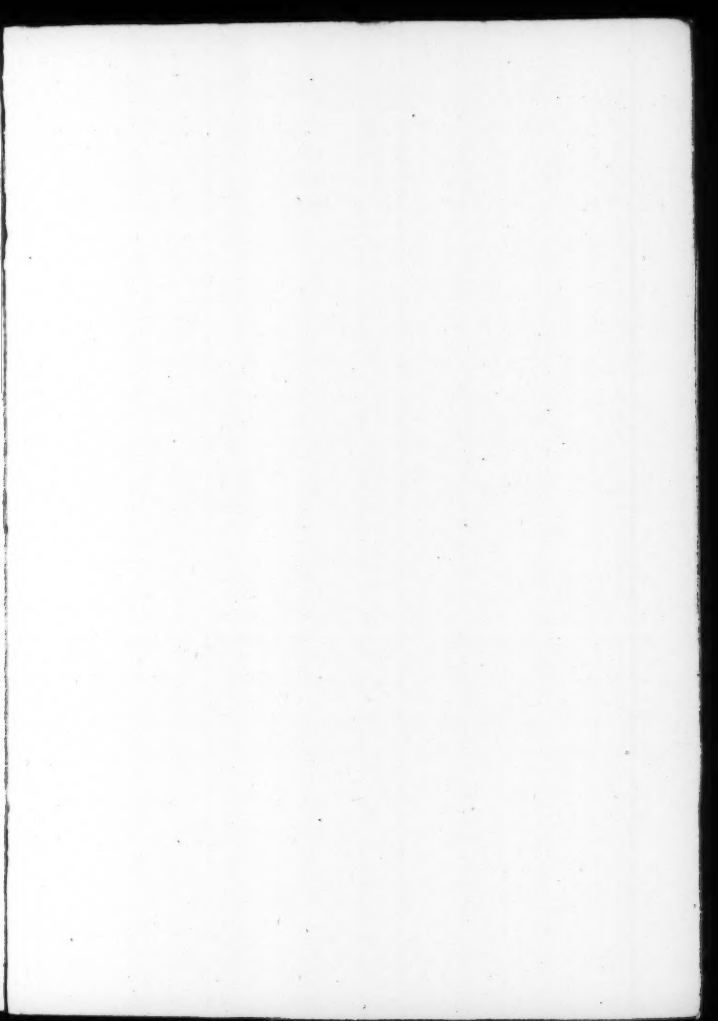
Curates.

FINIS.

Printed at London, by
Thomas Warthe.

Eadem huius, hodie, et cras.

The high Court of Parliament is not in this day
so often holden, as in ancient times it hath bene.
Anno 27. Elizab. c. 8. intituled, An Act for
redress of exorbitant Judgments in the Court, called
the Kings Bench: only reformed by parliament.
Howbeit now, if any Judgment shall be given in that Court,
in any suit or action of debt, detinue, replevin, account,
action upon the case, replevin fine, or trespass, first
remanded thither, (other than such only, where the Queen shall
pardon): the party plaintiff, or defendant, against whom
such judgment shall be given, may at his election, surforth
out of the Court of Chancery, by special writ of Error,
to be drawn in the said Chancery, directed to the Chief Justice
of the Kings Bench, commanding him to cause the said Record,
& all things concerning the said judgment, to be brought
before the Justices of the Common Bench, & Barons of the
Exchequer into the Exchequer Chamber, there to be
examined by the said Justices: who shall have full power
& authority to examine all such records, as shall be assigned
or found, in, or upon any such judgment, & thereupon
to reverse, or affirm the said Judgment.
Nevertheless that reversal, or affirmation, shall not be so
final, but that the party aggrieved, may sue in parliament
for the further & due examination of the said Judgment.
c. 29. The charges usually sustained in repairing, &
furnishing with all kind of munition the castles & forts
along the Sea coast, for the better withstanding of foreign
invasion: the necessary provision of a kind of
munitions, powder, and such like, greater than
in any time of any her Majesties predecessors
hath bene made: whereby great masses of her
Majesties Treasurers have bene employed.



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